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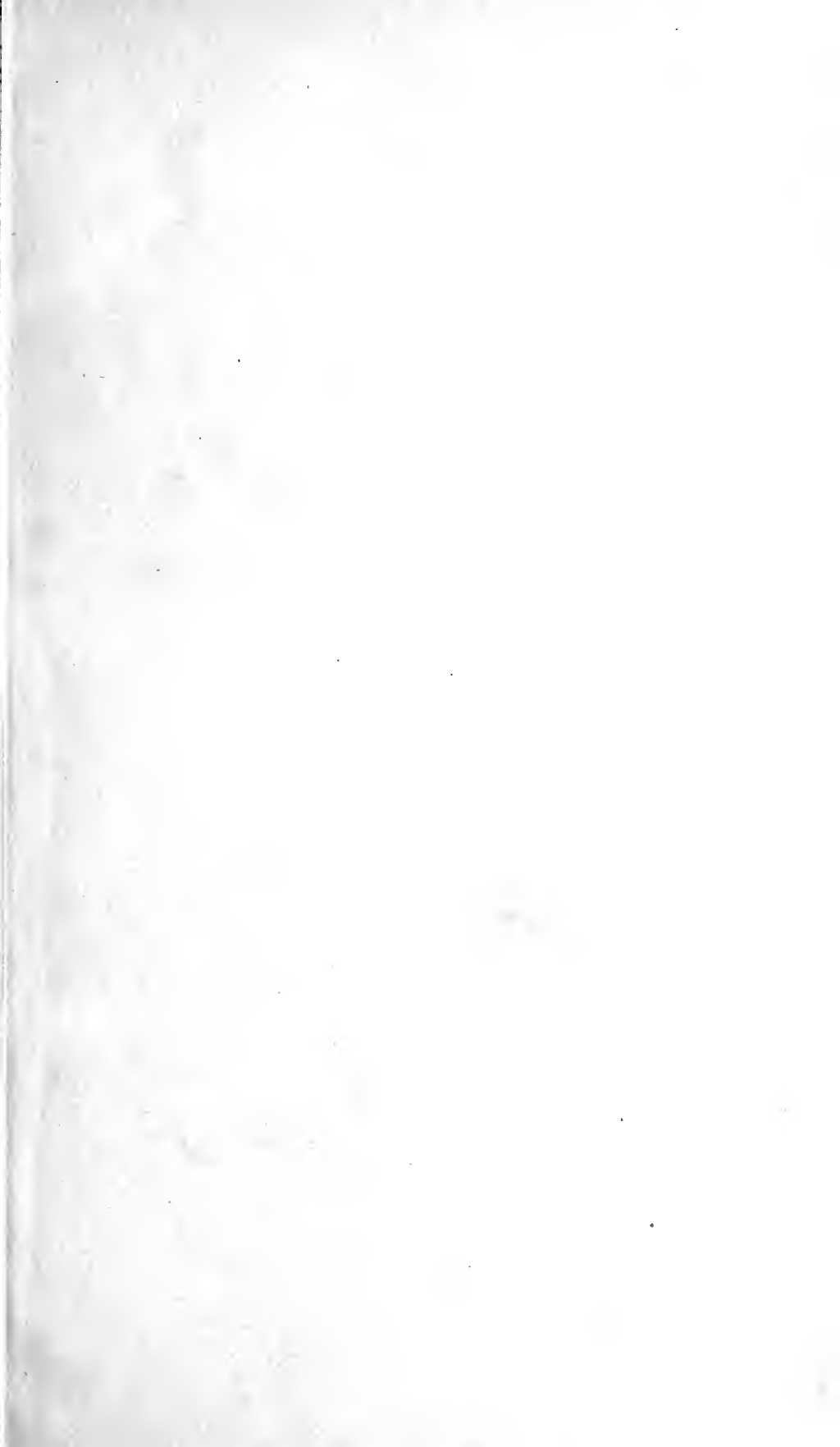


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**NILES'**

**WEEKLY REGISTER,**

*Jas. S. Thomas*  
CONTAINING  
*Compton*

POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFICAL, STATISTICAL,  
ECONOMICAL AND BIOGRAPHICAL.

**DOCUMENTS, ESSAYS AND FACTS,**

TOGETHER WITH

**NOTICES OF THE ARTS AND MANUFACTURES,**

AND A

**RECORD OF THE EVENTS OF THE TIMES.**

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**H. NILES, EDITOR.**

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THE PAST—THE PRESENT—FOR THE FUTURE.

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# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have, as it were, by *force*, made room for one of the many articles of our own manufacture, which have been latterly prepared, and then postponed, or destroyed—being cast out of time, by delay.

If we had sixty instead of sixteen pages, we could fill them all with matter proper to be *Registered*. The reading of the masses of matter, which we must read to keep ourselves "posted-up" in a knowledge of what is going on, is four or five hours hard work, daily.

The rather new practice, as we esteem it, which is now pursued in both houses of congress on presenting petitions, causes a great overflow of prompt and able speeches, on that subject which swallows up all others. We notice some of them—as well as we can.

Under the proper head we have mentioned a few things to shew the "pressure"—not as alarmists, but in the way of record. There is a great excitement in many parts of the country, and the people are filled with apprehensions. We shall not give the many reports which reach us relating to these apprehensions; for surely, if they have any effect, it must be only to hasten events that are so much dreaded.

Mr. *Duane's* fourth letter has appeared. These letters are exciting a great deal of attention. We know not what to say about giving them a place in the REGISTER, where they *ought* to be recorded.

We publish, at length, Mr. *Rives's* speech in the senate on resigning his seat in that body, in consequence of the receipt of the instructions of the legislature of Virginia—to which also he has assigned his reasons for retiring. It is said that he has been offered, but declines to accept any place under the administration. This course of proceeding must be approved. It would "look bad" if otherwise.

Though we had seen many reports concerning the interviews of the several committees who have visited Washington, and waited on the president, to obtain a relief of the public distress, through a restoration of the public deposits, none of them possessed that formal and decided character which we thought a *record* in this work ought to have, and were, therefore, laid aside; but in the report of the Philadelphia committee, to a multitude of persons,\* convened, in the *day-time*, at the exchange, on Saturday last, we have what may well be regarded a *documentary* statement, the verity of which cannot be impeached; and the part which relates to the interview with the president is given at full length—for it belongs to the history of these momentous times.

The "National Intelligencer," which is not oftentimes forward in such things, "ventures to predict" that the house of representatives will show a majority against the removal of the deposits, "when the question shall be fairly and directly presented." This opinion is also entertained by many of the best judging members of the house; and some think that the movements of the people, (and, indeed, the people *are* moving,) may possibly cause a considerable majority on the main question, even without the happening of certain fearful events which are every day looked for.

Messrs. *Gilpin, Sullivan, Wager* and *McElderry*, nominated for re-election as directors of the bank, on the part of "the government," have been rejected by the se-

\*This meeting consisted of more than ten thousand, embracing a very large proportion of the productive labor, wealth and capital of the city—and probably five-sixths of its business-men. Vol. XLVI—810. 1.

nate. Mr. *J. A. Bayard* was approved as the fifth director, some time ago.

By the *fast* mail, we received, on Monday last, an order for a new subscription, enclosing five dollars, from Brooklyn, Ohio, 358 miles from Washington, and about the same from Baltimore, dated *November 28, 1833*, in ninety days passage, and which had evidently encountered much rough usage on its voyage. We are thankful for its arrival—at the rate of four miles a day. "Slow and sure." The letter was plainly and correctly addressed. The business of the post office is in a horrible state. We hear of it, and *feel* it, almost every day.

The last year's permanent loan, in Pennsylvania, was taken at 13 $\frac{1}{2}$  per cent. *premium*. There is not one offer to take the present year's. The state requires about \$2,500,000 to complete certain works, and for repairs, &c.

There is a large export of gold and silver from England—and yet money is "plenty" in that country; there is a large import of silver into the United States, and a good deal of gold is gathered in our mines, but money is "scarce" here. *Confidence* in the one case, and the want of it in the other, causes these strange things.

Richard M. Johnson has been named for the presidency, by a caucus of the "Jackson" members of the legislature of Kentucky—subject, however, to the decision of a national convention.

Mr. Lincoln, late governor of Massachusetts, has been elected a member of the house of representatives of the United States, by a majority of from 6 to 8 for 1, in the place of Mr. Davis, present governor of the state. He arrived at Washington on Thursday last.

The much esteemed *Cadwallader D. Colden*, esq. died at his seat in Jersey City, opposite New York, on the 7th ult. in the 65th year of his age.

The tide of emigration is setting back to England—171 steerage passengers lately arrived at Liverpool from New York, in one vessel. This is well; we have a great surplus of labor just now—and do not wish new importations to send our own people supperless to bed.

George Kremer has been named, by a meeting held in Union county, as a proper person to supersede Mr. Wolf in the gubernatorial chair of Pennsylvania!

¶ In the absence of statistical facts, we can do but little to obtain correct ideas of practical results, though they belong to the every-day's business of the people—nor do we esteem the importance of many things, on account of our *familiarity* with them.

We propose to make some remarks, (and they must necessarily be brief, for it is hardly within the power of the human mind to carry them out), on three great subjects—which, not capable of demonstration, may yet be so presented, perhaps, as to give to the reflecting reader some *notion* of their extent, as astronomers point out the distances of the fixed stars; but when thousands of millions are spoken of, we wonder at, rather than comprehend, the amount.

1. The value of the annual productions of the United States;
  2. The divisibility of matter and principle of aggregation;
  3. The circulation of values.
- These subjects are not merely speculative. Each relates to things which reach the heart and home of every

man. And we hope in the progress of the present writing, to bring out certain probabilities and principles which may instruct, as well as amuse, ourselves and others.

1. *The value of the annual productions of the people of the United States.*

What is value? Civilized communities have, at different times, adopted different things by which they measured value—generally pieces of gold or silver, or of paper, stamped or marked in certain ways; and in Maryland and Virginia, pounds of tobacco were measures of value. The student of political economy is continually presented with new difficulties when the terms *value* and *money* are placed in adjusted comparisons—for they have no necessary affinities one to the other, though often rated as the same. The affinity is only conventional or conditional, or rendered absolute by “existing circumstances.” At one time and place, a pound of diamonds might be less valuable than a pound of potatoes—at another time and place, a pound of diamonds will be more valuable than many millions of pounds of potatoes. The quantities have the same denominations, though the comparative values are almost immeasurably changed. Money too, even gold and silver coin, is subject to frequent changes of value—by contractions or expansions of the circulation, supply and demand. But we shall leave these matters on the simple suggestion of them, and consider *value* as determined by *money*—which is something, any thing, metal or paper, but with a certain general relation to pennyweights of gold or ounces of silver. Money is, in fact, the *circulating medium*, and a five dollar note issued by what is called a specie-paying bank, is regarded as five dollars.

After much reflection on the subject, and the use of some data obtained as to the cost of subsistence, clothing and shelter, we have, by several calculations, arrived at the conclusion, that the annually produced values in the United States are certainly not less than fifteen hundred millions of dollars. This is meant to include a supply of all the new wants of twelve millions of persons, extending through every class of society, from the making or repairs of a fence on a farm to the tear and wear and supply of a needle—all sorts of necessary labor by which value is created, and the obtaining of all sorts of implements and tools, animals or buildings, useful in such creations—houses or ships, wagons or wheelbarrows—the making or repairs of roads, canals and bridges, with the cost of education—and in short, all the requirements of civilized life. The sum above stated seems a large one; but when we reflect that it allows only 125 dollars for each individual, the great amount is narrowed down, and the mind can grapple the probability of the fact as suggested. The average annual cost of paupers in our poor houses, without any allowance for the buildings in which they live, would be nearly one-half of the 125 dollars above stated—if the value of the products of their labor was added to the money actually disbursed on account of them. The common laborer who has a family of three other persons, and receives only one dollar a day, or 300 dollars per annum, would not appear to live at the rate of 125 per head—but his wife also produces value in the preparation of his food or the making and washing of his clothes; and these being necessary to his subsistence and shelter, or comfort, should be admitted into such aggregates of values in the full sum that it would have cost, in money, to have had such services performed by another person. The correctness of these principles being admitted, and we do not see how it can be objected to, we think it will appear manifest, that the money value of all the annual products of the United States, (whether natural, such as the yearly growth of trees in the forest, or by labor expended such as in rendering forest trees useful as fire-wood) cannot be less than 1,500,000,000 dollars.

Such are the annual creations of value which seemingly must be made, for the preservation and accommodation of society. A part of the sum suggested may go into accumulating values. Thus—if 100,000 dollars worth of new houses are erected in a year, in any city or town, or a mill worth that sum is built and fitted, the whole of this amount, less the tear and wear and natural decay, with cost of alterations or repairs, is passed into the accumulating value; but if such houses or mill be totally destroyed by fire, or otherwise, the actual money cost is chargeable on the annual production of values.

These things seem very clear to our mind. There does not appear any sort of mystery about them. But to understand them, the reader must think a little for himself.

2. *The divisibility of matter and principle of aggregation.* Here is, indeed, a wide field for observation, and we should not affect an ability to comprehend the ideas that belong to it, unless in a familiarity with manifest facts which bear upon *divisibility* and *aggregation*. By these facts we are enabled, as it were, to measure immeasurable things. Thus we know that the mighty Mississippi, which discharges her thirty-fathom-deep flood into the sea, is made up of particles of moisture, or water, so minute as to be incomprehensible. So is the vast ocean itself formed of inconceivably small atoms of matter. And if we regard animal life, the whale's vast bulk is believed to be made up in the consumption of other animals so minute, that, possibly, his daily supply of food may require a million of millions of them. And with regard to ourselves—in a spoon full of vinegar, used on our cabbage at dinner, perhaps we take in half a million of little snake-like things, whose bitings and scratchings when they reach our palates produce that sensation, or taste, for which vinegar is desired; and if we eat a single fig after dinner, what is the number of crab-like and pugnacious animals that pass into our stomachs? It is so also in the works of man. Instance the divisibility of gold. So in the works of insects—witness the fineness of a spider's web. It is not worth while to dwell on these subjects—for the divisibility of matter and force of aggregation are manifest to our senses, though we cannot count up the power of either—in its minuteness, on the one hand, or magnitude on the other.

The preceding remarks on the two first propositions offered appear necessary to a consideration of the third, which is

*The circulation of values;* more difficult, perhaps, to reduce into an intelligible statement than either of the others, however important are its operations on the condition of society. But, that the reader may more easily understand what is intended to be said on this subject, we shall premise, that the “circulation of values,” though not in all cases synonymous, is here intended to mean nearly the same thing as *exchanges of values*, and the effect of the *currency* on them—and on all persons who buy or sell, or make exchanges of values, whether in labor or in the products of labor. And, with craving the attention of the reader, we shall, at once, proceed to the consideration of certain subjects that we have never seen referred to in a methodical manner, which, however, are so numerous in their mutations that the mind must be exerted to perceive what the pen cannot describe.

The annual productions of the United States may be called the starting point of the *exchanges*, or circulations of value. It is no matter in what shape they appear. Every grain of corn that enters into the subsistence of a negro employed in the growth of cotton, passes into the circulation of values until the cotton becomes cloth; and then, reduced into rags, is made into paper, and such paper into books, &c. We have shewn what is the *divisibility* of matter; we have spoken of *aggregation*; but to begin at the beginning and end at the ending of the circulation of values, would be something like an attempt to calculate the boundaries of space, except in believing that space, (in the human understanding,) cannot have any boundary. To make the compass, for an example, with which the land was surveyed on which the grain of corn above alluded to grew, involved many thousands of exchanges of values, and yet some part of the value of that compass passed into that grain of corn. The survey gave value to the land, and many other values were added before the grain of corn was produced; but that grain partook of them all, and, passing into the subsistence of the laborer, entered into the value of the cotton, and that indescribably small portion of cotton may have existence, after all its mutations, in the value of a volume of the REGISTER. The value of the wear of the knife with which an animal is flayed, enters into the value of a pair of boots; and all values are continually exchanging.

There are many other classes of circulations of values. Thus, after a house worth \$1,000 is built, or a value of \$1,000 so created, every sale of that house puts 2,000 dollars into the exchanges—for the operation between the buyer and seller is a double one. We once traced the

history of a check on a bank for \$300, which, having changed hands 11 times on the day of its issue and before it reached the bank, of course caused the payment of 3,300 dollars and the receipt of the same sum, or 6,600 in all. So it is with bank notes, or private bills. Every change that is made in the possession of them, is a "circulation of value," and at every turn must needs yield some portion of profit to the community, if the note is finally paid, and then its value as a circulating medium makes a pause, or altogether ceases, as the case may be.

From these broad and general views we shall retire into a consideration of operations that may be more easily understood, being direct and palpable, in every move.

In the following *pro forma* statement, exact amounts are not even aimed at—the whole purpose being to note the various chief circulations of values.

- Let us suppose—
1. There is on a certain plantation in the interior of South Carolina, a quantity of cotton in the seed, (that will yield 1,000 lbs. of clean cotton,) which is worth, as it came from the field, \$ 80
  2. For costs of transportation to the gin, ginning and packing, transportation to the factor at Charleston, his commissions, charges for store rent, &c. 20
  3. The factor sells the 1,000 lbs. of cotton to the agent of a mill at Lowell, for 100 dollars—the agent's commission on the purchase, and cost of transportation by land and water to Lowell, &c. is 10
  4. This 110 dollars worth of cotton at Lowell is there woven, spun, and printed, and produces 5,000 yards of calico, worth 10 cents per yard, or 500
  5. The goods are sent from Lowell to the agent in Boston, and, with various costs and commissions paid to him, have a value of 515
  6. They are sold to a house in Baltimore, and, with charges for transportation, &c. cost that house 525
  7. To pay house rent, clerk hire, and subsist himself, the Baltimore merchant must have not less than 5 per cent. profit on his sale of this lot of goods to a country merchant, or say 550
  8. To indemnify the country merchant for his expenses variously incurred, charges for transportation, risk and profits, he must gain 20 per cent. on the \$550, and his sales amount to 660

Forward circulation \$2,885

But with the consumer it may be said that a *back* circulation commences, and all the exchanges of values are reversed; so that a quantity of cotton which, as it came from the field, was worth only 80 dollars, may, and no doubt oftentimes does, set into motion a *circulating medium* of 5,770 dollars.\* It is on the *celerity* or *slowness* of this circulation that the "plentifulness" or "scarcity" of money much depends. If a miser hoards 1,000 silver dollars, they are no more useful than their weight in bricks. But if he takes them out of his chest, and builds a house with them, an *active* value is spread among the working people, and it goes on to accumulate values, perhaps, in the shape of new houses—or in some other exchangeable commodity, no matter what.

And in the preceding *pro forma* statement may be seen the effects of the "American System." If the particular lot of cotton, worth 100 dollars at Charleston, was exported, in an English ship, and manufactured in England, the circulation of values in the 4th and 5th items, (making more than one-third of the whole amount), could not happen in the United States. This is manifest, and we shall not dwell upon it.

\*The reader will please to recollect that the consumption of cotton in the United States may be placed at about 100,000,000 lbs.—or so it would have been in the present year had the currency not been disturbed. Add up the *domestic* "CIRCULATIONS OF VALUE," then, which are dependent on the home manufacture of this huge amount of cotton, regarding only the regular mutations which are above described! If 1,000 lbs. give so much, what will 100 millions of pounds give? Work it by the rule of three! The principle will extend to the aggregate produced. We appeal to all business men—to every man who understands the first rules of arithmetic.

But to return to the preceding statement. If money is "plenty," the planter, on depositing his cotton, draws on the factor, the factor has the note of the agent discounted, and the agent realizes his draught on the house at Lowell, and so it goes on through the whole of the primary, or secondary, exchanges, in a week's time for each series, and the money derived from each commences new operations, and proceeds without any definite end, branching out into tens of thousands of divisibilities, and entering into the business of tens of thousands of persons. But how must it be when the factor cannot pay the draught of the planter until the money-worth of the cotton is realized from the *consumer*—the operation will require from twelve to eighteen months, and the "scarcity" of money be felt by all the parties, as well as by all who are dependent on them respectively.\* The general business of the United States is performed on a *credit* system, except that vital and important part which pertains to *first* labor, and the *money* used in the payment of daily or weekly wages, vivifies the whole; and thus it works: the planter draws on his factor, and the latter pays the draught, because the note given to him by the agent has been discounted, or the money is paid, for the reason that the agent has made a draught on the principal at Lowell, for which the bank has given him money, and so on through all the changes: but if the bank declines the exchange of its notes, or money, for the notes of individuals offered, all the operations must await their own time, or a great reduction of prices and profits ensue, in every department of this circulation of values. Certain *Cobbeitians* talk about the establishment of a specie currency—that would reduce the circulation of values, and reduce wages, perhaps, two-thirds of their present general amount, and what would be gained by this? Price, we admit, is only a comparative term—but a five dollar note of the bank of the United States is worth rather more than five silver dollars, on account of the convenience of its transportation, and why should all the habits of society be unlinged by the extinguishment of such a currency, and labor be reduced from 100 to 33 cents per day? There is a great objection to a paper currency when it does not truly represent money, by being reducible into solid cash; but while it may be, it is the agent of uncounted blessings, and *especially* to the *laboring poor*. The only thing to be desired is to keep it in due bounds, by safe checks and wholesome balances; such as we had between the national and state banks, a little while ago.

If we have measurably succeeded in making ourselves understood, the *reflecting* reader, like ourselves, will be afraid to mention a sum as the probable amount of the *circulation of values*, for the magnitude of the subject seems to place it without the limits of our comprehension, though, as it is with reference to space, we can comprehend that it is *incomprehensible*; and that is a great point gained: for in even thus comprehending, we must believe in the incomprehensible. So all believe except the wretched fools who suppose that all things happened "by chance"—without reflecting, that there must have been a pre-existing cause to give the power of action even to "chance." These things are humbly suggested—and for the simple and sole purpose of repeating, that a great point is gained, when, with the evidence of indisputable facts before us, we are able to comprehend that some things are not comprehensible, *that we may believe*.

And now to the application of the preceding remarks. The mighty aggregations of values, with the swiftness of the circulations, essentially depend on the *soundness and uniformity of the currency*—which is, let us say 125 millions in bank notes, which bank notes have value on 25 millions in specie, and which specie remains, or is made useful, on *confidence*. "Caution is the parent of security"—and very wise, and very cool-thinking men, only, should meddle with the currency of a country! The ups and downs of hurrah party-politics should no more be permitted to approach it, than the *Caliban*, of Shakspeare, (in the play of the "Tempest"), have had an introduction into the nuptial bed of the chaste *Miranda*, to begin a new begetting of horrid monsters there. The matter that belongs to the application is designed to be the subject of another essay. In the mean time we offer

\*Unless the money is obtained by *skavings*, or *less prices*.

the following extract from the speech of Henry Brougham, now belittled by the title of lord Brougham, in opening a speech in August last on the bill for a recharter of the bank of England:

He "begged to state that he would be the last man to express an approval of any measure, if he thought that its results would be to lead, by however long a process, to a depreciation of the currency of the kingdom. It was absolutely and imperatively necessary for the safety of all interests in this country, mercantile or otherwise—for the stability of trade and agriculture—that there should be no further tampering with the currency, (hear, hear), and that no attempt or proceeding should be sanctioned by parliament, or the executive government, which could by any remote possibility, cause any change in the value of the circulating medium."

It was not easy to decide whether precedence should be given to the insertion of the report of the judiciary committee of the senate, or to the dissent of the minority to the report of the committee of ways and means of the house of representatives concerning the pension fund. We have, however, given a place to the former, for one reason, perhaps, that it was the unanimous act of the committee,\* and so stands more fully in opposition to the report made to the other house. And, as the same general argument prevails in both papers, it does not seem necessary to present more than one of them, at a time when room is so much needed by us. The reader, to form the more correct conclusions on this subject, should have before him the report of the committee of ways and means, inserted in the last REGISTER. Perhaps, a better understanding might be obtained if the argument of the attorney general was also given—but we cannot get space for it. The ground taken by him, however, sufficiently appears in the reports alluded to. It seems clearly admitted that pensions must be paid at the bank of the United States, and its offices, or under charge of the bank, in certain other cases prescribed by law; but the right in the secretary of war to remove the deposit of what the bank considers pension money, is in the supposition that certain laws are not pension laws, though so officially called over and over again, as shewn in the report made to the senate; and it is further said, that the law gives to the secretary of war no power over the public deposits—though the secretary of the treasury may exert such power on certain occasions, &c. two instances being given in which the war secretary retraced his steps in this very matter, on the remonstrance of the bank. And it is manifest that the present order must be withdrawn, or that the pensioners will not be paid, unless congress shall pass an act to relieve the bank of its responsibilities in this case, when the bank will gladly relinquish the agency, for it is a very burthensome one, as is shewn in the letter of the president of one the new deposit banks, at N. York, published in the last REGISTER.

Some years ago, a person permitted (for his own purposes), a small sum of money to accumulate and remain in our hands. He suddenly became a bankrupt, and petitioned for relief under the insolvent laws of the state. Whereupon five processes were served upon us about the money due—each individually claiming it. The debt was freely acknowledged to all the parties—and yet we were harassed in attendances at court, time after time, as a witness. Thus worried, it was respectfully asked, and leave obtained of the court, to say, that so many dollars and cents stood on our books to the credit of the bankrupt, which would be paid into court in five minutes, or placed in the hands of either of the parties, as the court should be pleased to decide. The court then released us from further attendance; and when the claim was established by the proper authority, it was instantly satisfied. So stands the bank—the extra clerk hire and labor expended in paying the pensions far exceeds the profits derivable from the use of the pension money—but the law, as the bank believes, has required this duty of them, as one of the onerous conditions of its charter, and simply asks that the law will relieve them of all responsibility on the subject, as is proposed in the bill reported by Mr. Polk, from the committee of ways and means. If it is right that the secretary of war should

have the disposition or charge of the money, let Mr. Polk's bill pass, and all the difficulty is over. If it is not right that such disposition or charge should be made—what remedy would remain to the bank, if the court decided, that it had wrongfully parted with money, expressly appropriated, and placed in its possession, for the payment of certain meritorious individuals, for services rendered? In such a case, every one of these might sustain an action against the bank, if, (from any cause), not paid the money respectively due them.

We must confess our surprise, after what has happened, that the secretary of war should have again attempted such a proceeding. We rather expected that he would have followed the course pursued by Mr. Duane; and, as it is morally certain that the bill reported by Mr. Polk will not be passed into a law—perhaps not pass either house of congress, it is certain that the bank will hold on to the money, as it ought, until lawfully relieved of the responsibility of a just distribution of it, by the expiration of the period of its charter, March, 1836. Future deposits for the payment of pensions, may not be made in it—the new deposit banks may be arranged for that duty, in the power assumed; but as this money went into the bank according to law, there is no power to take it out unless in concert with the law; as the fact of the bill reported by Mr. Polk conclusively shews. Why such a law, if lawful power already existed to remove the pension money? And all that can be done in this new war against the bank, is—to suffer the money, at present deposited, to be paid, by it, to those to whom it belongs, and refuse to send other moneys to the bank, on account of pensions. Thus "the government" may take the "responsibility," and relieve the bank of it, hereafter—without the enactment of a new law, though existing laws declare that pensions shall be paid by the bank of the United States; presuming, however that the pension money must first be deposited therein.

A great effort is making in Pennsylvania, by petitioning the legislature, praying for its action that the public deposits may be restored to the bank of the United States. Saturday last, being the time fixed for opening proposals for a permanent loan of \$729,354, at Harrisburgh, it was found that not a single offer had been made. Under present prospects, the public works of Pennsylvania must be discontinued, and great public loss, as well as much private distress thereby ensue.

We have been promised a currency, and by high authority too, better than that which the bank of the United States furnished.

On Tuesday last we paid 5 per cent. discount on a note of one of the banks at Hartford, Con. and 3 per cent. discount on one of those issued by a bank at Pittsburgh, Pa. in exchange for Baltimore bank notes. We do not know the present shaving tariff at Hartford and Pittsburgh, but venture nothing in saying that the notes of the banks alluded to, at home, are, together, 3 or 4 per cent. more valuable than any Baltimore bank notes there. And on the same day, a gentleman of Kentucky, paying us a small bill, was careful to select Baltimore paper, which he had bought at 3 per cent. discount. The "safety fund" bank notes are at 2 per cent. discount in the city of New York, and, for one or two days, were at 5! Some arrangements are said to have been made for the relief of these banks, by which the discount receded as stated above. The shaving of bank notes is now a mighty business, and employs hundreds of thousands of dollars. Exchange on England remains below "par." That is, say 9 per cent. below the real par.

The committee on post offices and post roads of the house of representatives, have made a report that it is inexpedient to restore to the post office department the sum of 1,103,927 dollars, which, at different periods, since the establishment of that department, have been paid into the treasury of the United States. But no part of this sum has been paid into the treasury for several years last past.

#### THE PRESSURE, &c.

Great meetings of the people are holding in many of the states at which memorials to congress are adopted, praying relief from

\*Messrs. Clayton, Bibb, Preston, Smith and Bell.

the pressure on the money market, by a restoration of the public deposits to the bank of the United States. The citizens of Virginia are all alive on this subject, but rather more, perhaps, on what they regard a violent seizure of the public purse, than on account of the deranged state of the currency that has followed it. A few meetings of a different character have been "gotten" up in Pennsylvania, and by persons who, before the veto of the bank bill, would have pronounced it treason against the "democracy" of Pennsylvania to suppose that the events which have happened could take place.

We have fresh accounts of the proceedings of, perhaps, one hundred meetings for a restoration of the deposits, in the current week. At some of those held in Virginia, lately, very strong language was used.

We noticed in our last the prospect of things at Lowell. Since then a large number of girls have "turned out" to prevent a reduction of wages, and they committed some things which females ought not have done, such as processions through the streets, "marching ankle-deep in the mud" and "waving their handkerchiefs and scarfs," &c. and one or two of them delivered public speeches. They also made an attempt to break the banks, by demands for specie, in large numbers—but it ended only in their own shame. The chiefs have been dismissed, and new supplies from the country rushed in to take their places; but they generally submitted to the reduction proposed, and which had been proposed in kindness to them; for, if not submitted to, the mills, in the present state of business, would have been, of sheer necessity, closed.

The melancholy truth is—that a large reduction of wages must be submitted to by the working people, generally, or dismissions from employment ensue. The reduced money-value of all sorts of products, and the difficulty of obtaining money, are such, that one or the other must take place. High wages cannot much longer be paid in any branch of business, unless there is a change in the state of the money market. In many branches, mechanics would now gladly obtain even 50 cents per day "funding themselves."

Many of the eastern factories have stopped—and 1,100 persons were discharged from 4 of them only. It is said that most of the iron furnaces in New Jersey are, or soon will be, out of blast. In Philadelphia official permits must be obtained to occupy a part of the street for building purposes—at this time last year, such permits issued were more than six hundred, and at a corresponding date in the present year amounted only to eight. Here is a matter about which there cannot be a mistake. The same operation is going on every where. Many additional failures have happened in the chief cities. The general rate of money is 2½ per cent. a month, and a vast business is doing at that price.

Let the working people look at the following—

The Leeds Intelligencer states that the cotton loom weavers at Oldham have full work, but their wages are most miserable, as the best workmen cannot get more, on an average, than 5s. 6d. per week—that is, at the real par 132 cents. [Will they agree to be reduced to this English paper state?]

The bank of New Brunswick, New Jersey, has suspended payment. The branch of the Susquehanna bank, at Baltimore, has been withdrawn—but it is published that its notes issued will be paid as usual, and all be retired. A draft of the 4th auditor has been dishonored at Cincinnati, by the new deposit bank. The contractors for carrying the mails are very clamorous for the money which they have earned. The working people, at several places, are protesting against the "due bills" issued by their employers, as they ought, if the latter could satisfy them in money. The alternative is, to receive "due bills" or be discharged, and the choice is a sad one.

Wheat, at New York 90 cents. Flour, at Pittsburgh 2 8½ bbl.—at Wheeling 2 50—at Cincinnati 3 a 3 12½. Whiskey at same place, 20 a 24 cents. gal. Nothing doing in bacon, pork or lard, as the prices offered will not pay the cost of the packer. Cincinnati is the greatest pork market in the United States.

FOREIGN NEWS.

From London papers to the 7th and Paris to the 8th January, both inclusive.

GRREAT BRITAIN.

Earl Fitzwilliam was determined to persevere with his motion to repeal the corn laws. The misunderstanding existing between the governments of England and Russia, through the intervention of prince Esterhazy, the Austrian ambassador, was in a fair way to be adjusted. Considerable importations of wheat had been made into England from Van Deiman's land; to which latter place 6,000 convicts had been transported during the last year. A dreadful storm had swept over England and the north of Europe, causing great destruction both on land and at sea; many lives were lost and several houses burnt by lightning. There had been a decrease in the revenue for the quarter made up to the 5th of January of £91,547, as compared with the same quarter last year. The Columbine, one of the vessels of Lander's expedition up the Niger, had arrived in England. Mr. Lander and lieutenant Allan, had proceeded in the Alburka steamer up that river, and were sanguine of ultimately establishing a successful system of commercial intercourse between England and Africa.

FRANCE.

The papers contain various speculations touching an anticipated rupture between England and France, on the one side, and Russia on the other; but these are not borne out by the

friendly tenor of the congratulatory address of the ambassador of the latter power to the King of France, on new year's day. Considerable naval preparations were being made, which we presume gave birth to the rumors in question. The chambers would, it is thought, vote the necessary appropriations to pay the installment due to the U. States, and thus settle that difference. The departure of the Duke of Orleans, for America was to take place the present month.

SPAIN.

The affairs of the queen were rather more promising; but still without material change. The contest between the contending parties had assumed the character of a guerilla warfare. Morillo's troops had again entered Portugal and captured 40 Carlists; and the insurgents of Navarre, after a severe conflict, had been beaten by general Lorenzo.

STILL LATER.

From London papers to the 18th Jan. inclusive.

It was calculated in England that the present situation of this country would seriously interfere with the manufacturing industry of that country, as all the advices from here admonished the manufacturing and shipping houses not to send out goods as there was no money to pay for them, and the manufacturers were, in many instances, acting upon them.

The affairs of Spain have assumed a new and more important form. A captain general, Llander, who appears to act in concert with the municipality of Barcelona, and to have, among other distinguished adherents, generals Quesado and Moillio, had sent an embassy to the queen intimating to her as the wishes of the province, 1st, that the Spaniards receive a representative government, with the liberties connected with it—2d, the suppression of abbeys and monks—3d, the liberty of the press—4th, the reform of the clergy—5th, the distribution of its property among the people, and 6th, that the tithes and other imposts, injurious to farmers, be suppressed. Llander has 45,000 men at his command; his address to the queen was backed by 50,000 signatures, and the people of Catalonia had risen en masse in support of his demand. The queen is said to have returned Llander's address, without giving any satisfaction as to the course she would pursue. The queen, however, yielding to the pressure of circumstances, it is said, has changed her ministers, and consented to the convocation of the cortes. The president of the new cabinet is said to be the marquis de las Amarillas. Many distinguished constitutionalists have returned to Spain. Advices from Lisbon state that Don Miguel's army had suffered greatly from sickness, and was reduced to 6,000; his fortifications were strong and would require much greater force than Don Pedro's to dislodge him.

The eastern parts of Russia are suffering dreadfully from the effects of famine.

There is a report that earl Grey was about to resign.

TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

February 21. Mr. Southard presented three petitions from New Jersey, praying for a restoration of the deposits, one of them signed by 2,785 voters of Burlington county. He spoke highly of the character of the memorialists, and, out of these petitions and others, attempted to shew that the legislature of the state did not express the voice of the people on this matter. And these petitions, he also said, were signed by many friends of the administration.

Mr. Wilkins presented resolutions adopted by two of the local banks at Pittsburgh, stating the general distress and praying for relief. He also presented a set of resolutions passed at a large meeting of the people, with the same character and bearing; and he spoke highly of the respectability of the actors in these proceedings.

Mr. Sprague presented a memorial of 626 citizens of Portland, Me. in relation to the distresses of the country, and praying for relief. He spoke of the respectability and business of the signers, and among other things stated that the branch bank in that city had actually sustained the local banks. He spoke at considerable length, and was followed by Mr. Shepley, who read an ANONYMOUS communication from the "National Intelligencer" to shew the intention of the bank. A long and very lively debate ensued; in which Messrs. Sprague Forsyth and Chambers took part. The latter explained the late "run" on the branch at Savannah, and placed that affair in a very ridiculous, but censurable, light. [We must recur to this debate, if we can, for parts of it are uncommonly interesting.] Mr. Webster rose to deliver his sentiments, but on the suggestion that important executive business required attention, gave way, and the senate went into secret session, and so remained until the hour of adjournment.

February 22. [For the first time this session, the senate sat on Saturday.]

Mr. Tyler said he rose to present the resolutions recently adopted by the two houses of assembly of the state of Virginia, expressive of their opinions and views relative to the conduct of the executive with regard to the bank of the United States and the deposits of the public revenue. He proposed to abstain, at this time, from making any remarks on the subjects embraced in the resolutions, other than to say, that, concurring as he did most fully in the views expressed by the legislature of his state, he should use all the means in his power to carry them into effect. He should at another time, more convenient to the senate, make such remarks as the importance of the subject required. He should, for the present, merely move for the print-

ing of the resolutions, and their reference to the committee on finance.

The resolutions having been read—

Mr. Rives rose and said:

Mr. President: The senate will indulge me, I hope, standing in the position I do, with a few remarks on the subject of the resolutions just read. It is very far from my intention to attempt to impugn, in any manner, the force of those resolutions, or to derogate, in the slightest degree, from the high respect to which they are entitled here and elsewhere. On the contrary, I recognise them as the legitimate expression of the opinion of my state, conveyed through the only authentic organ known to her constitution and laws.

The senate will have perceived, from the reading of the resolutions, that it is my misfortune to entertain, and to have expressed, on the grave questions now occupying the public mind, opinions very different from those asserted by the resolutions. Notwithstanding this difference of opinion, I should feel it my duty, as one of the representatives of Virginia on this floor, to conform to the views expressed by her legislature, if, in the circumstances in which I am placed, I could do so without dishonor. I hold it, sir, to be a vital principle of our political system, one indispensable to the preservation of our institutions, that the representative, whether a member of this or the other house, is bound to conform to the opinions and wishes of his constituents authentically expressed; or if he be unable to do so, from over-ruling and imperious considerations operating upon his conscience or honor, to surrender his trust into the hands of those from whom he derived it, that they may select an agent who can better carry their views into effect.

On all occasions involving questions of expediency only, it is, I conceive, the bounden duty of the representative to conform implicitly to the instructions of the constituent body, whose those instructions are to be carried into execution by a legislative act, which, as a mandate of the public will, prescribes and directs what shall be done for the public good. But where the instructions contemplate a declaration of principles or opinions, which are contrary to the sincere and honest convictions of the representative, as there is no means of forcing the assent of the understanding to abstract propositions, the only course left to him is by the surrender of his commission, to put it in the power of his constituents to confer it on another whose opinions correspond with their own.

To apply to these principles to my own case, I do not hesitate to say, that if the instructions of the legislature of my state had required me specifically to vote for a law or other legislative act, providing for the restoration of the public deposits to the bank of the United States, however highly inexpedient I deem such a measure to be, I should nevertheless have felt it my duty to give the vote required.

Such it will be recollected, was the precise demand of the memorial of the citizens of Richmond presented a few days ago by my honorable colleague, and which concluded by asking, that congress "would provide by law for the immediate restoration of the public moneys to the bank of the U. States." But, sir, this is not the shape in which the question is presented to me, by the resolutions of the general assembly of my state, or by the proceedings pending in this body. Those resolutions instruct the senators of Virginia, in general terms, "to use their best exertions to procure the adoption by congress of proper measures for restoring the public moneys to the bank of the U. States." Now, sir, I am bound to inquire, what are those proper measures, in the contemplation of the legislature of Virginia.

We all know that the only measures proposed, or contemplated in this body, are the two declaratory resolutions offered by the senator from Kentucky; the first affirming that the conduct of the president with reference to the removal of the public deposits, was a dangerous and unconstitutional assumption of power; the second, declaring the reasons assigned by the secretary of the treasury for that removal, to be unsatisfactory and insufficient. When the latter of these resolutions, together with the report of the secretary of the treasury, was referred some days ago to the committee of finance, that committee did not report a bill, or joint resolution for the restoration of the deposits, but simply a recommendation, that the senate adopt the declaratory resolution of the senator from Kentucky. In short, it is now avowed and understood on all hands, that all that is deemed necessary, or will be proposed here, to effect a restoration of the public money to the bank of the U. States, is a mere declaration by congress, of the insufficiency of the reasons assigned for their removal.

To the only measures, then, on which I shall be called to carry into effect the instructions of the legislature of my state are, the declaratory resolutions moved by the senator from Kentucky, and now depending before the senate. That these resolutions are, in the estimation of the general assembly of Virginia, proper measures—that the opinions and principles declared by them, are believed by the general assembly to be correct and well founded—it would be unpardonable blindness to the language and tenor of their instructions not to see. At the same time, it is well known to the senate, that on each of the propositions declared in these resolutions, I had (and I will take leave to add, after the most careful and anxious investigation,) come to opposite conclusions, which I had earnestly asserted and maintained on this floor. I am, therefore, placed by the instructions of the legislature of my state, in this dilemma—either to vote for the declaratory resolutions of the senator from Kentucky, and thereby express opinions which I not only do

not entertain, but the reverse of which I have sincerely and earnestly maintained on this floor; or, by voting against them, to oppose the only measures which are likely to come before this body, having in view the restoration of the public deposits to the bank of the United States, and thus appear in the attitude of disregarding and thwarting the declared wishes of the general assembly of Virginia. I am sure I but respond to the honorable feelings of all who hear me, in saying, that the first branch of the alternative is impossible, while the latter is no less forbidden by my principles, and a proper sense of my duty to the constituted authorities of my state. The only course left to me then, is one which the senate can be at no loss to anticipate.

Before I close the few remarks with which I have felt myself called on to trouble the senate, I beg leave to say, that while I recognise implicitly the resolutions just read as the legitimate and constitutional expressions of the opinion of my state, I wish not to be understood as saying that they express the real public opinion of the state—that of the PEOPLE. On the contrary, my firm and clear conviction is, that the sentiments of the people in the present instance are not in unison with the proceedings of the legislative authority. The manifestations of popular sentiment already commencing in various quarters of the state—the principles and opinions heretofore steadily cherished by Virginia—multiplied communications received from the most respectable sources; and my own knowledge, I may be permitted to add, of a people with whom I have been connected, in relations of public service, for now near twenty years, assure me that they are not; and the revolution of a few months, will, I confidently believe, render the fact manifest to all the world. But in the regulation of my official conduct here, I am not permitted to look beyond the constitutional expression of the opinion of the state, by its regular and proper organ. If a senator were allowed to set up against the public opinion of his state as officially and solemnly declared by her legislature, a hypothetical public opinion, which may or may not be that of the people of the state, it is obvious that a door would be opened for the total evasion of all effective responsibility of this body to public opinion. It is on the legislatures of the states that the constitution has devolved the choice of members of this body, and the same legislatures must be the interpreters of the public opinion of their respective states to the senators chosen by them, whenever an occasion shall arise which may call for a solemn manifestation of that opinion.

This is indeed the only practicable mode of bringing the opinion of the sovereign communities represented in this body to act, with authoritative influence, on its proceedings; and when it is considered that the senate is, by the greater permanency of its official tenure, further removed from the salutary control of the representative system than any other branch of the government, all will see the necessity of keeping open a clear and designated channel by which public opinion may promptly reach it in an authoritative form, and be made effectual on its deliberations. It is thus, essential to the practical supremacy of the popular will itself, that the state legislatures should be recognised as the authentic and constitutional exponents of the popular opinion of the respective states, in all relations with this body. If, in any instance, the legislatures of the states shall mistake the opinions of the people, it is, as I conceive, for the people themselves, and not for us, to correct the mistake.

These, Mr. President, are very briefly the opinions I entertain on the delicate questions presented for my consideration by the instructions of the legislature of my state just read; and the only alternative they leave me, in the circumstances in which I am placed, is to surrender the trust with which I have been honored as a member of this body into the hands of those from whom I received it. I know well, Mr. President, and I feel how much of honor and of satisfaction I give up in abandoning my seat on this floor. I abandon what I have ever regarded the highest honor of my public life—an honor than which none higher, in my opinion, can be presented to the ambition of an American citizen. I sacrifice social and kindly relations with many members of this body—I would fain hope with all—which have been the source of the highest satisfaction to me here, and the remembrance of which I shall cherish with sincere pleasure in the retirement whither I go. I know and feel the weight of these sacrifices, but great as they are, I make them without a sigh, as the most emphatic homage I can render to a principle I believe vital to the republican system, and indispensable to the safe and salutary action of our political institutions.

The resolutions were then referred to the committee on finance and ordered to be printed.

Mr. McKean rose and said, that he had on hand numerous petitions and memorials, from large numbers of citizens of Pennsylvania, all complaining of deep distress, and protesting against the removal of the public deposits from the United States bank, and praying for their restoration. He said he had, for several days, anxiously sought an opportunity to present them, but could not obtain the floor. True, he said, in accordance with the humor of the times, some of them were expressed in pretty strong terms. He believed, however, they would all come within the parliamentary understanding of respectful language; and to save time, as he now had the floor, he would ask permission to send them to the chair collectively, he said that they had, referred to the committee on finance, and be printed: which was agreed to.

The papers sent to the chair by Mr. McKean, consisted of the proceedings of a meeting of boot and shoe makers and shoe deniers of the city of Philadelphia; a memorial of nearly 700 cit-

tizens of Portsville and vicinity; the memorial of citizens of Schuylkill county, and the memorial of the president and directors of the Western bank of Philadelphia.

The chair also communicated the petition of a number of the inhabitants of the township of Moyamensing, in the state of Pennsylvania, praying for the restoration of the public deposits to the bank of the United States, which was read, referred to the committee on finance, and ordered to be printed.

The senate then proceeded to the consideration of the unfinished business of yesterday, being the motion to refer the memorials of the citizens of Portland and of Bangor, Maine, on the subject of the deranged currency and distress of the country, consequent upon the removal of the public deposits from the bank of the United States; and, after a debate, in which Messrs. Webster, Forsyth, Chambers and Kane severally took part, the question was taken, and the motion for a reference carried.

The other business attended to will sufficiently appear in its progress.

February 24. After other business—

Mr. Smith rose and presented several memorials and resolutions from New Haven and Hartford, embracing the proceedings of the Hartford bank, the Phoenix bank, the Connecticut River bank and the Hartford fire insurance company, all praying for the restoration of the deposits.

In presenting these documents, Mr. Smith made some remarks on the character and extent of the existing pressure, its cause, and the remedy which was demanded by public opinion.

The petitions and resolutions were laid on the table, Mr. Smith postponing his motion to read them, in consequence of the arrival of the hour for the special order.

The senate then proceeded to the consideration of the special order, &c. when

Mr. Tyler rose and addressed the senate in opposition to the removal of the deposits, and in favor of their restoration, until half past 3 o'clock, when, having concluded,

On motion of Mr. Hill, the senate adjourned.

February 25. Mr. Clayton submitted resolutions calling for information concerning the pension agents—and also as to the amount of money that had been received for postages, in a certain period.

Mr. Fretlinghausen presented the petition of 810 of the citizens of Cumberland county, N. J. praying for a restoration of the deposits, and made some remarks on the general subject, as well as with reference to his own position. He was followed by Mr. Clayton, in a very animated speech.

Mr. Wright presented a petition from Troy, N. Y. praying for a restoration of the deposits, and bore a testimony of the respectability of the signers. Mr. Clay said that the vote of Troy was 2,200, and that the petition was signed by 1,730 persons.

These memorials being read were referred and ordered to be printed.

The further consideration of the memorials from North Carolina on the subject of the finances and the distressed state of the country, was called for by Mr. Mangum, and a lively debate followed, in which Messrs. Brown, Forsyth, Chambers and Porter, (the new senator from Louisiana for the first time), took part.

Mr. Webster moved that the senate postpone the previous orders, for the purpose of taking up the bill from the house making an appropriation for the payment of the revolutionary and other pensions for the year 1834, and in the course of his remarks noticed an article in the "Globe" which rudely charged him, and the committee of finance, with withholding the bill, and imputing bad motives; but Mr. Webster shewed, from the journal of the senate, and even the "Globe" itself, that this bill, received from the house on the 6th February, was reported by the committee to the senate on the 10th—and so the committee was relieved of any particular care over the subject. The bill was read a second and third time, and passed, without opposition, as such bills usually are.

February 26. Mr. Chambers, at the request of the committee deputed for the purpose, presented a memorial from Baltimore against the restoration of the deposits, &c. the signers to which were said to amount to 3,558. The memorial was read and ordered to be printed, with the names of the signers appended.

After some other proceedings, Mr. Webster moved that the senate should proceed to the consideration of executive business—which Mr. Chambers opposed, an account of the illness of his colleague, Mr. Kenf. Mr. W. then waived his motion, but would call it up again to-morrow.

Mr. McKean presented a petition from Berks county, Pa. signed by 1,858 persons praying a restoration of the deposits, and referred to a letter addressed to him saying that about one-half of the signers had never been opposed to gen. Jackson; and added he himself knew some of them to be among his warmest friends. Mr. McK. also presented the proceedings of the mechanics, &c. of the Northern Liberties (Phila.) in favor of the bank, and one from 51 persons of Schuylkill county, against the bank.

Mr. Clay made some pointed remarks on the petition from Berks, and, after referring to certain facts shewn at the last presidential election, proceeded to say—

He hoped he might be allowed to state a single fact, which would show the impressions upon the public mind in regard to the present distress. In the town of Reading, in the county of Berks, he understood that five hundred votes were given for the present chief magistrate, at a late election, and only one hundred against him; yet five hundred of the inhabitants of the

same town had subscribed the petition setting forth the existing distress, and praying the aid of congress to afford them some effectual relief.

From all quarters from whence memorials had issued, Mr. C. said, we learn a similar state of facts. Gentlemen may be assured that this is no party struggle that now agitates the country. It is a question between the will of one man and that of twelve millions of people. It is a question between power—ruthless, relentless, inexorable power—on the one hand, and the strong, deep-felt sufferings of a vast community, on the other. He trusted that these memorials would be the means of softening his heart, and presenting to him the true condition of our afflicted country, and induce him, to the utmost of his ability, to afford that relief to it which he and his secretary could instantly supply.

Mr. Clayton made a few observations, to show how very far the petitioners for restoring the deposits, &c. in these conflicting petitions, exceeded the number of those who approved of their removal.

Mr. Clay presented a memorial from a large number of citizens of Louisville, Kentucky, on the subject of the pecuniary distresses of the country, ascribing them to the removal of the deposits, and praying for their restoration; and moved to refer them to the committee of finance, and print them.

A debate then ensued, which lasted until a late hour, in which Messrs. Clay, Clayton, Tallmadge, Wright, Ewing, Webster, Chambers and Forsyth took part, when the senate adjourned.

February 27. Mr. Webster presented several petitions for a restoration of the deposits, &c. viz. from the presidents and directors of all the banks in New Bedford; from Warren county, New York, signed by 303 persons; the major part of whom say they have been friendly to the present administration; and from 866 citizens of Northampton county, Pennsylvania. Mr. W. added that the two last petitions had been sent to him, because that his views were supposed to be more in accordance with those of the petitions than were those of the senators from the states named.

Mr. Clay made some remarks on certain observations of Mr. Wright, in relation to the Troy petition recently presented; to which Mr. W. replied. [Mr. C. stated some highly interesting facts, but we cannot get room for them.]

Mr. Webster presented the following resolution:

Resolved, That the secretary of the treasury lay before the senate the monthly returns of the bank of the United States, from August, 1823, to February, 1834, inclusive.

Mr. Poindexter presented the following resolution:

Resolved, That the secretary of the treasury be directed to communicate to the senate, copies of any order or treasury draught which may have been given by that department for the removal of the deposits of the public money from the Planters' bank at Natchez, specifying the amount of the deposit, the bank or banks to which said money is removed, or intended to be removed; whether the same is required for the public service at the place to which it is so transferred, or intended to be transferred; and, if not, for what other purpose the said deposits are directed to be withdrawn from said banks; and, also, that he transmit copies of any letters which may have passed between any officer of the treasury department and the president of the said bank on the subject.

Mr. Poindexter said he had no remarks to make on presenting this resolution, other than simply to state, that the secretary of the treasury had directed a transfer from the Planters' bank at Natchez, of more than a million of dollars. The information was, that this money was to be transferred to N. York, to aid some of the failing banks of that state. Be this as it may, the transfer will prevent the bank of Natchez from discounting as hitherto, for the money will not be expended in that part of the country. He now moved that the resolution be printed; when it came up, he would make such observations as the occasion called for.

Mr. Webster suggested that Mr. P. should call for the consideration of his resolution at once. Mr. Hill objected to a present consideration of it; on which Mr. Poindexter said—The member from New Hampshire, he said, seemed to be touched, and well he might; for, when facts came to be developed, they would shew that a draught had been made on the Planters' bank, at Natchez, for the purpose of sustaining the failing banks in New York; thereby preventing the Natchez bank from extending the usual accommodations to the people of that section of the country. He must say, however, that the United States branch, at Natchez, had acted most liberally, and, by discounting freely, had done much to prevent the disastrous consequences of the withdrawal of so large an amount from the Planters' bank. He would not now detain the senate with any further remarks, but he would say that these things sufficiently shewed that there was "something rotten in the state of Denmark!"

Mr. Clayton presented a petition from Schuylkill county, Pennsylvania, praying for relief through a restoration of the deposits; and stated the reasons why it was sent to him. On the authority of information received, he stated the condition of the people of this county three months ago and now; then all was cheerful and prosperous, now two thousand persons were suddenly deprived of employment, and wandering about the country, &c.

Mr. Tyler rose to present two memorials on the subject of the pecuniary embarrassments and deranged currency of the country, praying for relief—one signed by 500 citizens of the town of

Wheeling, Virginia, and the other from 500 citizens of the town of Norfolk, in the same state. These memorials came; he said, from the extremes of the state—from the Ohio river to the Atlantic seaboard.

On motion of Mr. Webster, the senate proceeded to the consideration of executive business, and after remaining in secret session some hours, adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, Feb. 21. Mr. J. Q. Adams, on a proposition to amend the journal, took an opportunity to pronounce a beautiful eulogium on the character of Mr. WIRT, which we are compelled to postpone, but, surely, will insert.

After which the bill to compensate Susan Deacatur was taken up and discussed, and supported and opposed at some length—without coming to any decision in the committee of the whole, which had leave to sit again.

Mr. Thomas, of Louisiana, observed, that to-morrow was the 22d, [WASHINGTON'S birth day] a day when it was not usual for public bodies to sit. He therefore wished to move that the house, when it did adjourn, would adjourn to Monday next.

Objection being made, he moved for the suspension of the rule. It was suspended accordingly, yeas 114, noes 7; and thereupon the house adjourned over to Monday.

Monday, Feb. 24. The house was occupied the whole of this day with receiving petitions, and hearing the discussions that grew out of them, though proceeding no further than Pennsylvania in the call for petitions.

Petitions in favor of a restoration of the deposits were presented as follows—

From Bangor, Maine, signed by 238 persons—from six banks in Connecticut—from the people of New Haven; from Troy, signed by 1,730 persons; from Burlington county, N. J. signed by 2,785 persons; two from the interior of Pennsylvania, by Mr. Foltz; from Berks county, Pennsylvania, signed by 1,850 persons. And here the presentation of petitions for the day was arrested by the debate that ensued, of which we cannot make room for a sketch.

Mr. Muhlenberg, on presenting the last mentioned petition, made some remarks to shew that this petition did not represent the wishes of a majority of his constituents, and used some expressions that were deemed offensive, which produced an inquiry from Mr. McKennan, and a desultory debate followed, in which Messrs. Binney, Walmough, and others took part. The petition had been drawn up both in English and German, and Mr. Muhlenberg had detached the latter before its presentation—but it was restored on the suggestion of several members. Then a discussion on printing the names took place, and most of them being in German, it was proposed that they should be printed in that language, and so it was finally agreed by yeas and noes, 112 to 90. In the course of the debate—

Mr. Turrell would oppose, if he stood alone, the printing of all such petitions. It was surprising to him, to hear such an unnecessary expense advocated. There was among others, a petition already printed on this subject with sixty-two pages of names, at a considerable expense. Those petitions, he believed, were got up originally by the bank, and those who procured the signatures were paid for their trouble out of Mr. Biddle's breeches' pocket. He felt that it was time for the house to take a stand, and save the treasury this expense which was sought to be thrown upon it. It was possible that many of those who signed the petitions from the large cities, were stimulated by the assurance that their names would appear in a printed book.

Mr. Crockett said: Sir, as I am the only person from Tennessee in this house who am opposed to the administration, I hope I may get a few words in; that I may say what are my own notions on these matters—sir, I think the member from N. York, (Mr. Turrell), who has just spoke, has been a little testy in his objections; he talks much about this, as if it was a great matter. Sir, are we to stick at such trifles as a few dollars in the printing a matter so important. It seems, sir, to me to be something like loading a twenty-four pounder to shoot a flea. Sir, is it not so. We are spending 3 or 4,000 dollars in discussing the printing of a matter that perhaps after all will not be 20 cost. But, sir, this is retrenchment; but it is the old rule for retrenching.

I love, sir, to see the petitioners come here, and my life on it, sir, they will come; ay, and from Louisiana, for all that we hear to the contrary; and yet from my own state, every day my letters tell me they wish this question settled.

They know very well in my district the character of the man; who when he takes any thing into his head, will carry it into effect. They knew how I should act in this bank business, for I told them, before I was elected, how I should vote—that I would recharter the bank, and restore the deposits. Sir, I get letters every day from all parts, which tell me these acts are disapproved. The question is now whether we shall be under the old and happy state of things, or have a despot. Sir, the people have a right to tell their grievances, and sir, I tell you they must not be refused—I can't stand it longer—I won't.

Tuesday, Feb. 25. After the morning business—

The house resumed the consideration of the bill making appropriations for certain fortifications, the question being on the motion of Mr. McDuffie to commit the bill, that its provisions might be more fully investigated. This was opposed by Mr. Folk, and a debate ensued. At last the bill was recommitted, as it were by consent.

The Indian appropriation bill next came up—the question being on a motion of Mr. H. Everett to recommit it, which he

withdrew, because certain information desired had since been obtained. The bill was read a third time, and the question being on its passage a debate arose which lasted until the adjournment of the house.

Wednesday, Feb. 26. The resolution offered by Mr. Mardis was taken up, and discussed by Mr. Clowney, in opposition to its passage, until the arrival of the hour for the orders of the day.

The house then resumed the consideration of the bill making appropriations for the Indian department for the year 1834. The question being on the third reading of the bill,

Mr. McKay moved to recommit the bill to the committee of the whole on the state of the union.

The reasons assigned for the motion were the necessity of a more deliberate examination of the items, particularly those which related to the expenditures for agents and transportation of presents, for blacksmiths and gunsmiths, which last item, it was contended, was reported in the Indian annuity bill, as well as the present.

It was replied, that this was a regular appropriation bill; that the funds were required to pay expenses incurred and individuals employed in the Indian country; that the agents were appointed by treaty; and that the items in the bill were precisely the same, except that they were diminished in amount, as in former bills.]

The motion was supported by Mr. McKay, Mr. Conter, Mr. Hawes, Mr. H. Everett, Mr. Fillmore, Mr. Mercer, Mr. L. Williams, Mr. Vinton, Mr. Wilde, and opposed by Mr. Polk, Mr. Sevier, Mr. McKimble, Mr. Cambreleng and Mr. Beardsey.

The yeas and noes were finally taken on the motion to recommit, and stood as follows: yeas 105, noes 101.

So the motion to recommit the bill was agreed to, and then the house adjourned.

Thursday, Feb. 27. The resolution offered by Mr. Mardis was further discussed, and Mr. Clowney, having spoken to the expiration of the hour, the house proceeded to the orders of the day.

Robert H. Campbell, a member elect from South Carolina in the place of Mr. Singleton, deceased, appeared, was sworn, and took his seat.

The remainder of the sitting was spent in considering the bill to authorise the construction of a bridge across the Potomac, and a bill to provide for the settlement of certain revolutionary claims.

#### REPORT OF THE PHILADELPHIA COMMITTEE, &c.

The very respectable committee appointed to carry to Washington the memorial of 10,259 citizens of Philadelphia, (to whose names were attached their various professions, business, trades, &c.) made a report of their proceedings to a very numerous meeting, convened at the exchange on the 22d ult. for the purpose of receiving it.

The facts stated by the committee are highly important, especially as they occurred in their interview with the president of the United States, and we shall extract that part entire. Much moderation is observed, as it should be, in this statement, and that it is substantially correct, certified as it is by twenty-one gentlemen of exalted character, cannot admit of a doubt. Hence it assumes the shape of an official paper, in relation to a most interesting subject. And it is worthy of remark, that the private statements made by the members, of like committees from the citizens of New York and Baltimore, astonishingly conform with the facts more precisely and publicly stated by the Philadelphia committee, even in the very words and terms used by the president, in particular cases. As an evidence of this, we heard the intelligent and worthy chairman of the Baltimore committee give a full narrative of what passed in the interview with the president, and, the next day, received New York papers with such an account of what happened to the New York committee, that, on meeting with the chairman alluded to, we laughingly charged him with some sort of second-sight knowledge by which he had made his account so nearly correspond with that of the New York gentlemen, before a publication had reached us on the part of the latter, in the "Commercial Advertiser" of Feb. 15.

After giving a narrative of the incipient proceedings at Washington, as to the presentation of the Philadelphia memorial—the report proceeds:

The memorial having been satisfactorily disposed of in both houses of congress, the delegates thought it respectful to call on the president of the United States, and make known to him the condition, the sufferings and opinions of their constituents. This interview took place by appointment at two o'clock on the 11th of February. The delegates having been severally introduced to the president, were received with such politeness and courtesy of manner, as to justify the expectation of a patient and candid hearing. In this, however, they were disap-



pointed. The chairman had hardly announced in one or two sentences the general nature of our mission, when the president interrupted him, and proceeded in a vehement discourse of more than twenty minutes duration, to announce to us, and through us to our constituents, his opinions and his determinations in reference to the restoration of the deposits, the recharter of the bank, and the future disposition of the public revenue. In the course of those remarks (which as they were long, and somewhat desultory, it is deemed unnecessary to present in detail), the following positions were distinctly assumed by the president:

1. That application for relief must be made to the bank of the United States and not to him; that whatever distress existed in the community (and he believed there was some distress) had been caused by the bank, which was hoarding its specie and curtailing its discounts in order to crush the state banks and compel the government to abandon its policy. That the executive had no power to relieve the distresses of the community, but that the stockholders of the bank might effect that object by electing directors who would conduct its affairs honestly and on principles of Christian benevolence.

2. That the present directors of the bank had violated its charter, by giving to the president the whole power of the bank; a power to use its funds without voucher or receipt. That such a power in the hands of one man, was dangerous to the liberties of the country, and had been used to destroy the elective franchise. That the president of the bank, if an honest man, would not have accepted a trust so unlawful. That for these reasons he regarded the bank as a monster of corruption, which he was determined to put down. That a bank so using its powers ought (as he repeatedly expressed it) to be robbed of those powers.

3. That the law creating the bank of the United States, was in his opinion unconstitutional. That no power to create a national bank was conferred, or intended to be conferred by the constitution—that the provision by which congress was authorized to regulate the currency, had reference only to domestic and foreign coin, and not to paper of any description.

4. That having made up his mind irrevocably upon all these points—Andrew Jackson never would restore the deposits to the bank—Andrew Jackson would never recharter that monster of corruption—that neither persuasion nor coercion, nor the opinions of the people, nor the voice of the legislature, could shake his fixed determination—that sooner than consent to restore the deposits, or recharter the bank, he would undergo the tortures of ten Spanish inquisitions; that sooner than live in a country where such a power prevailed, he would seek an asylum in the wilds of Arabia.

5. It was announced by the president that he meant to continue the present system of collecting the revenue by the state banks, until the experiment had been fully tried, and at all events until the expiration of the charter of the United States bank. That he had no doubt of the success of the experiment, nor that the state banks would answer all the purposes of the country. That he would furnish the country with as good, nay, a better and more solvent currency than that of the national bank—that he had early foreseen and provided against the inclination of the bank of the United States to crush the state banks, and that his interposition alone had saved them from ruin—that he would continue to protect the state banks by all the means in his power.

6. The president admitted that considerable distress had followed the action of the government in relation to the deposits. He had never doubted that brokers and stock speculators, and all who were doing business upon borrowed capital, would suffer severely under the effects of the measure, and that all such people ought to break.

The foregoing paragraphs are believed to contain all the important ideas expressed by the president, in the first part of his discourse to the delegates. In some emphatic expressions his language is accurately preserved, while his numerous repetitions of the same idea in different words, which served unnecessarily to prolong the interview, have been avoided. Once or twice the chairman took occasion to explain that he seemed to misapprehend the position of the delegates; that they had not come to represent the bank or promote its interests, but to lay before him the condition and wishes of citizens of Philadelphia, unconnected with that institution, and engaged in the various departments of commerce and industry. Such explanations, however, produced no visible effect on the tenor of the president's discourse, nor did he allow an opportunity to make those statements as to the condition of this community, with which the delegates were especially charged.

In reference to his declaration, that he would continue the present system of collecting the revenue through the state banks, until the experiment had been fairly tried, one of the delegates inquired, whether he had determined upon any plan by which the country might be relieved in case the experiment failed. His answer was, that he was disposed to be candid, and would explain his views on that point. That in order to restore the currency to the condition intended by the constitution, and place the moneyed concerns of the country where the sages of the constitution found and left them, he proposed to put out of circulation all notes of five dollars and under by placing the public money in such state banks, as would issue no notes below ten dollars—and by forbidding the receipt in payment of the revenue of the notes of all banks, which should issue notes under ten dollars.

That the same process would next be pursued in reference to all notes under twenty dollars, and thus a metallic currency be ensured for all the common purposes of life, while the use of bank notes would be confined to those engaged in commerce.

The same delegate having inquired when he proposed to put this plan into execution, the answer was, not immediately—not until the expiration of the charter of the bank of the United States. Go home, gentlemen, (said he) and tell the bank of the United States to relieve the country by increasing its business. Let the United States bank make no run upon the state banks, and I will take care that the state banks make no run upon her. Let the war between the banks cease, and all will be well in forty-eight hours. The bank of the United States is trying to crush the state banks. Tell the state banks that I will protect them, and that the power of the United States bank is nearly gone, and that it will be compelled to cease its present course. Here one of the delegates observed to the president—we are many of us, sir, connected with state banks, and yet we know of no such warfare between them and the bank of the United States, as you speak of. It does not exist in the city of Philadelphia. There is, on the contrary, the utmost good will and harmony between the United States bank and the other banks of our city, and nearly all the latter are in favor of a recharter. To which the president quickly replied—I know all about it, sir; I know that some of your banks have combined in favor of the bank of the United States; I have examined the whole subject, and understand it better than any of you. I have looked impartially at both sides of the question, and have the best information on the subject, from Maine to New Orleans, from the most undoubted sources. I learn this morning, (Feb. 11), from New York, that stocks are rising, and that money is becoming abundant. Let the directors of the bank pursue their business on principles of Christian benevolence, and all will be well. Let them wind up the business of the bank, without attempting to break down the government, and force a recharter, and it will die with the blessings of thousands; otherwise, it will have the curses of millions. I have read the scriptures, gentlemen, and I find that when Moses ascended the mountain, the children of Israel rebelled, and made a golden calf and worshipped it, and it brought a curse upon them. This bank will be a greater curse. I have no hostility to the bank; I am willing it should expire in peace; but if it does persist in its war with the government, I have a measure in contemplation which will destroy it at once, and which I am resolved to apply, be the consequences to individuals what they may. The bank has in circulation ten millions of checks, which I have no doubt are illegal, and which I will direct the state banks to refuse in payment of the public revenue. These checks must then be returned upon the bank, and will drain her of the specie she is hoarding. This measure I will apply, unless the bank desists from its course.

Here the chairman remarked, that the bank was perfectly aware of the design of the executive in reference to the checks, and gave it as a reason for not extending its discounts, and for retaining so large an amount of specie on hand. That daily and hourly applications for relief were made by our citizens to the bank, without effect. That the directors of that institution felt bound to husband their resources and stand on the defensive, while so serious a weapon is in the hands of the executive. Well sir, replied the president, let them do right and I will not injure them, but if they persist in measures which I deem oppressive and unjust, they must expect to feel my power. In the course of these remarks, of which a plain and certainly not an exaggerated sketch has been attempted by your delegates, the president very frequently used the expression that HE was determined to place and to leave HIS government, where the sages who framed the constitution found and left it, and also to place the currency and revenue of the country where the sages found and left it.

It occurred to several of the delegates to ask for an explanation of phrases which conveyed no distinct or tangible meaning to their minds. Their historical reading had taught them, that the framers of the constitution found the government in anarchy and left it in order; that they found the currency and revenue in ruins, and left both in a state of exalted prosperity; and that one of the instruments by which this change had been effected, was a national bank, bearing almost equal date with the constitution itself—a bank of the same kind which the president had stigmatized as a monstrous contrivance above and against both the constitution and the law. Fearing, however, that it might lead to a controversy about facts and history, and unwilling to contend with one whose opportunities at least have been better than their own, they abstained from inquiries which their curiosity strongly urged, but which promised to lead to no useful result.

The interview had now lasted about an hour, and during that period it had been impossible for the delegates, without unparadoxical rudeness towards the chief magistrate of the nation, to explain to him their business and their wishes. It had become obvious, moreover, that his mind was pre-occupied by a view of the subject, which would neutralize the effects of facts or reasoning, that he regarded the whole question as a contest between the bank on the one hand, and him and HIS government on the other; a contest in which the people had no concern, except as they might array themselves as partisans of either, that he considered his own power, and the stability of HIS government staked upon the issue; and consequently that the arguments of those who disclaimed connection with either party, and owed no allegiance but to truth and justice, and the com-

mon weal, would either be rejected without a hearing, or if heard, would be utterly disregarded.

The delegates, therefore, as soon as this painful and (as free citizens they must add) humiliating conviction was forced upon their minds, rose to take leave. One of their number seized the opportunity of a parting word to say, with emphasis, that to the president, and to his conduct in removing the public deposits, the citizens of Philadelphia attributed the distress under which they labor. His reply to this remark was but a repetition of assertions previously made, and the delegates retired with no cause of complaint as to their personal treatment, but indignant that the voice of more than ten thousand citizens, could be deemed by the president unworthy his attention, and with a sad conviction that the high places of power, in a land boasting of its freedom, were closed and barred against unpalatable truth.

The committee then proceeded to give an account of the further proceedings, holding out encouraging prospects as to the result, in changes of opinion effected, or expected to be made, in the minds of members of congress; and they exhort the people to perseverance, in a hope that their representatives will finally act to relieve the awful and extensive public distress that prevails. This part is very interesting, but we cannot get room for it, at length. They refer to the fiscal concerns of the state of Pennsylvania, and call upon the people to redeem themselves and their country, &c.

The report concludes as follows:

One word of exhortation to their fellow citizens and the delegates have done. It is no common occasion which has called for this unprecedented assemblage. The evils to be averted are of no common character, and call for the exertion of extraordinary energy. A contest has commenced—the parties to which are the people on the one hand, and the executive on the other—a contest full of difficulty and involving our dearest interests as citizens and as freemen. Let all so regard it, and let all so conduct themselves as to show they understand its nature and its consequences. Let him that hath property, spare of his abundance to secure the remainder; let him that hath talents or affluence expend them freely in the cause of social happiness and of chartered rights—and he that hath neither of these, let him bring a patriot's heart and a patriot's voice as his most acceptable sacrifice on the altar of his country.

Let old and young, rich and poor, the learned and the unlearned join hand in hand, and with one voice and spirit, as they have one interest in the event, unite their efforts to bind up the wounds of their afflicted country and restore her once more to health and prosperity. If the prevalence of such a feeling shall date from this day, the hallowed anniversary of the birth of the father of his country, each succeeding return of the same auspicious day, will carry with it an additional claim to the respect and veneration of the American people.

Signed by the committee as follows:

ELIHU CHAUNCEY,  
THOMAS FASSITT,  
JAMES MARTIN,  
WILLIAM GILL,  
JOHN STRUTHERS,  
SAMUEL COMLY,  
CALEB COPE,  
JOSEPH H. DULLES,  
THOMAS FLETCHER,  
GIDEON SCULL,  
JOHN WATERS,

ROBERT T. POTTS,  
BENJAMIN NAGLEE,  
HENRY TROTTE,  
MORDECAI D. LEWIS,  
JOSEPH SMITH,  
MERRIT CANBY,  
JOHN S. WARNER,  
J. FISHER LEAMING,  
ISAAC MACAULAY,  
JOSEPH McLVAIN,  
BELA BADGER.

Caleb Cope, esq. on behalf of the delegation, offered the following preamble and resolutions, which were seconded by Jos. R. Ingersoll, esq. by which gentleman they were most eloquently and ably supported, and were adopted without dissent.

The committee recommend the adoption of the following preamble and resolutions.

Whereas, it is believed, that a sound currency is essential to national prosperity, and that to the influence of the bank of the United States are to be attributed the advantages of a sound and equal circulating medium, high public credit and low rates of interest, in the enjoyment of which, private enterprise has flourished, and the finances of the state and general government have been successfully managed, and it is evident that the attempts now made to break up a system so fully tested and so admirably adapted to our country, are highly injurious, and if persisted in will be destructive alike to public and private prosperity, Therefore

1. Resolved, That the present crisis, so full of danger to the constitution, and so marked by assaults upon all that is valuable in property and in civil rights, demands our resolute, active and unyielding efforts, to restore the broken faith of the government and to sustain the institutions of our country.

2. Resolved, That the avowed intention of the executive to prosecute an EXPERIMENT on the national currency, by withholding his sole will the entire revenue, is a usurpation incompatible with our system of government, and at utter variance with the duties of a chief magistrate of a republic, who is no more above the law than the humblest citizen of our land.

3. Resolved, That the sentiments of the president of the United States, his manner and tone at the recent interview with the delegates from this community, and his open declarations on that and other occasions, evince a settled purpose to destroy

the present currency of the country, by a rash and ruinous experiment: That by his disregard of consequences, resulting from the measures of his administration; by his reluctance to listen to facts or reason, and by substituting the personal feelings and arbitrary will of ANDREW JACKSON, in place of the official dignity and constitutional action of the PRESIDENT OF THE UNITED STATES, he has introduced into the government a feature unknown to the constitution and dangerous to the rights and liberties of the people.

4. Resolved, That the common prosperity of the inhabitants of the United States, and more especially the peculiar interests of the state of Pennsylvania and of the city of Philadelphia, demand an immediate recharter of the bank of the United States, so that confidence may be restored, lost faith be recovered, an impulse to industry be given, and our country be raised from its present despondency, to a state of active and cheerful enterprise.

5. Resolved, That in the present suspension of commerce and the arts; and in the consequent distress spread through society, we see but the beginning of those evils, which if they be not remedied by the action of congress, will eventually produce most extended ruin—that it is the duty of every man, who has anything to lose by a revolution, or any thing to gain by a government of laws, to put forth his strength in behalf of his country, and not to give back until truth shall prevail, and the country be restored to its former prosperity.

6. Resolved, That, in a crisis like this, all minor differences of opinion, all secondary distinctions of section or of party should be cast aside, and the freemen of the country should be urged to rally under the broad banner of the constitution, in defence of their primary and essential rights.

7. Resolved, That the people of Pennsylvania, and of other states, be invited to hold county and town meetings, for the purpose of averting the approaching ruin—and it is recommended that committees of correspondence be organized, and that deputations from each meeting be sent to Washington, to explain to congress the condition of the country, and to enforce the necessity of immediate relief; by a restoration of the currency and public confidence.

8. Resolved, That it be recommended to the freemen of the several counties of Pennsylvania who agree with us in sentiment as to the causes and remedy of the present distress to appoint delegates to a general convention to be held in Harrisburg, for the purpose of devising measures to restore the prosperity of the country.

9. Resolved, That in the opinion of this meeting the Girard bank of the city of Philadelphia, ought not to retain the public deposits and thereby countenance and uphold a system which is believed to be unlawful, and which experience has already shown to have a disastrous influence on the prosperity of the city.

10. Resolved, That a committee of thirty be appointed by this meeting with power to convene from time to time, to fill vacancies in their own body or otherwise to enforce the objects of this meeting at Washington, Harrisburg and elsewhere, to correspond with other committees throughout the United States, and to adopt such measures as in their judgment will tend to accomplish the objects of the foregoing resolutions, and to continue the same until their exertions shall be crowned with success.

Some other resolutions of a local nature, or as votes of thanks to the committee, &c, were passed, and the whole are signed by

JOHN A. BROWN, *president*—Samuel Richards, William Gill, Benjamin Naglee, George Miller, Bela Badger, Israel Roberts, Thomas Fletcher, Robert Burton, John Scholefield, *vice presidents*, and Jacob M. Thomas, Henry C. Corbit, Richard Morgan, J. C. Wolbert, *secretaries*.

At the conclusion of the meeting nine hearty cheers were given for the "constitution and the laws,"

#### PUBLIC DEPOSITES.

In the senate of the United States, February 17.

PENSION AGENCY—UNITED STATES BANK.

Mr. Clayton from the committee on the judiciary, to whom have been referred the message of the president of the United States of the 4th February last, and the accompanying documents in relation to the removal of the funds, books and papers connected with the pension agency of the bank of the United States, under the act of June 7th, 1833, have agreed on the following report:

The message and documents referred to the committee show the fact, that the bank of the United States had declined to comply with an order of the department of war, issued on the 2d of January, 1834, demanding a surrender of the funds, books and papers belonging to the pension agency of the bank, under the act of congress approved on the 7th of June, 1832, entitled "an act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution." The orders appear to have been issued by the commissioner of pensions, acting under the direction of the secretary of war, and it announces the appointment, on the same day, of fifteen new pension agents to perform the duties heretofore performed by the bank as pension agents under that law. Those agents are the presidents of certain state banks to which a portion of the public

deposits has been removed by the late order of the secretary of the treasury. At the same time, and by the said order, the bank of the United States was commanded to *cease paying pensions* under the law referred to. The bank in reply to the mandate of the secretary, while it respectfully declines to deliver the funds and papers as directed, without the consent of congress, profess its perfect willingness to surrender its trust as pension agents, if it shall be the pleasure of congress to release it from the charge, but regarding such a surrender, without the permission, to be a violation of its duty to congress and the country, it awaits some decision, either legislative or judicial, to discharge it from the burden of this agency, or to reinstate it in the discharge of its duties. In the mean time, fearing an obstacle in the settlement of its accounts for future disbursements, should it pay any more pensioners under this act, after the prohibition of the secretary, it has obeyed his injunction to cease paying them until further directions.

For the course pursued by the bank, the message, if it does not invoke the vengeance of the public against the institution, certainly denounces it as the cause of all the delay and embarrassment which has occurred since the secretary's order in the payment of the debt which the gratitude of the nation has awarded to the surviving veterans of the revolution. The president considers the conduct of the bank as an usurpation of the functions of the judicial power, and an attempt to prescribe to the executive department the manner in which it shall execute the trust confided to it by law; condemns it as without example in the history of our country, and declares that, if the acts of the executive may be thus checked, and controlled "the whole frame of our government is changed."

The committee have examined the questions growing out of the documents referred to them with all the care required by a matter which, in the opinion of a co-ordinate branch of the government, touches the honor of that government, as well as the just claims of the surviving soldiers of the revolution. They have found no ground for any difference of opinion among themselves, and they now unanimously submit the following view of the whole subject for the consideration of the senate.

The 15th section of the act to incorporate the subscribers to the bank of the United States, approved on the 10th of April, 1816, provides that during the continuance of that act, the corporation shall, among other things, "do and perform the several and respective duties of the commissioners of loans for the several states, or of any one or more of them, whenever required by law." In less than one year after the approval of this act, congress passed "the act transferring the duties of the commissioners of loans to the bank of the United States, and abolishing the office of commissioner of loans," which act was approved on the 3d of March, 1817. Both statutes were passed by the fourteenth congress. The first section of the last act provides, "that the bank of the U. States and its several branches shall be, and they are hereby required to do and perform the several duties of commissioners of loans for the several states; and the bank of the U. States, and its several branches, and such state banks as the bank of the United States may employ in those states where no branch bank shall be established, shall observe and conform to the directions which have been, or may hereafter be prescribed by the secretary of the treasury, with the approbation of the president of the United States, touching the execution of the duties aforesaid."

This statute in connexion with the 15th section of the charter, imposed a burden on the bank important to the government, and still more important to those who were the most meritorious objects of its bounty. For while that section enjoined it as a duty on the corporation to give the necessary facilities for transferring the public moneys to any part of the country, and for distributing the same in payment of the public creditors, without charging commissions, or claiming allowance on account of the difference of exchange, the same section, in conjunction with the act of the 3d of March, 1817, made it the imperative duty of the bank to assume the agency of paying all pensioners of the government; such being at this time, one of the principal duties of the commissioners of loans. But the agent thus appointed by special act of congress was not vested with a general discretion in the discharge of those duties. It was bound to conform to the directions of the secretary, with the approbation of the president, "touching the execution of the duties aforesaid." The power of the executive over the bank, in this matter, was conferred by congress, and the extent of the power of the former over the latter was clearly defined by the same authority. No right is vested in the executive to annihilate the agency of the bank, or to substitute another at executive discretion. The agency shall exist, says the law—the bank shall pay certain moneys; but as to the time and place of payment, the portions of these pensions to be paid in certain cases: in short, in all things touching the manner of executing its duties, this public servant shall be subject to the control of another who shall, so far exercise a superintendance over the former. The duties enjoined on the bank by this act are ministerial—those of the secretary are supervisory; and the two authorities do no more clash with each other than those of the court and the marshal of the district, each of which is created by law, and liable to all the restraints of a paying agent. Was the bank being subject to the liabilities of a paying agent, was to have the choice of its own branch bank of the United States established; and by a provision of the third section of the same act of the 3d of March, 1817, a saving clause was introduced

for its benefit in case no state bank should be established by law in any one of the states, in which case the agency for military pensions in that state was not to be effected by the act.

The committee consider that the attorney general manifestly errs when he represents the "presidents of the bank of the United States and its several branches" as the agents constituted by this act. The only agents known to the law were the bank and its several branches. They, and not their respective presidents, were required to do the several duties of commissioners of loans. They, not their presidents, were to choose sub-agents among the state banks, and the injunction to observe and conform to the directions of the secretary in regard to the execution of their duties operated on them, not on their several presidents merely. The attorney general says, the law of 1817, by which the duties then performed by the commissioners of loans, including the general pension agency, are transferred to the bank of the United States, expressly declares that these powers "shall be performed" by the president of the bank and its branches, and that their acts shall be countersigned by the cashier." It is true, that the second section, to which he probably referred, enacts "that all such duties and acts as are now done and performed by the commissioners of loans, in transferring stock from the books of one loan office to another, or to the books of the treasury, or from the books of the treasury to the books of the loan offices shall be done and performed by the president of the bank of the United States, the presidents of the several branches of the said bank, and by the presidents of such state banks as the bank of the United States may employ, (in states where no branch of the United States' bank shall be established); and the acts of the presidents aforesaid shall be countersigned by the cashiers of those banks respectively." This section is the only one prescribing services to be performed by the presidents of the bank and its branches, unless the third section should be deemed to be of this character, which directs the transfer of the papers to the presidents, while it unequivocally recognizes them only as agents of the bank to receive those papers, by an express direction that the notice of the transfer shall be, "that the duties will be transferred to the bank." Where the attorney general can find that part of the law of 1817, by which the general pension agency is transferred to the presidents or cashiers of the bank and its branches, or which "expressly declares that the powers of the commissioners of loans, including the general pension agency, shall be performed by the presidents of the bank and its branches, with the counter-signature of the cashiers, the committee are at a loss to imagine. It is true, that, as sub-delegates and organs of the bank, they have been sometimes addressed as pension agents in the correspondence with the department which they have always conducted. It is true, that, as the agents of the bank, conducting business by its orders, the pension rolls have been sent to them to be placed in the custody of the bank; and that as the officers of the corporation, they have been directed to inscribe the name of the pensioner on the rolls; and to pay to the time of the semi-annual payment, if the claimant should be still living, and, if not, then up to the day of his death. So the cashiers of the several branches might have performed the same duties with the consent of the bank; and we find that, under the direction of the secretary of the treasury, the business of this agency, so far as regards the pension act of the 15th of May, 1828, has been conducted through the cashier of the branch bank of the United States at Washington. The error to which we have referred admits a construction which would deny the liability of the institution whose capital is bound to the safety of the pension fund. It would divide that liability among the presidents of the branches, who never gave bonds for the money, and whose personal responsibility would, if the opinion we controvert were sound, furnish the only security for the safety of the millions which have been entrusted to the bank on the credit of its whole capital. It is the more objectionable as it would strengthen the untenable position that the pension agent of this government, accountable now for the payment of more than twenty-three thousand pensioners, is, and ever has been, a creature of the executive, and not the delegated agent of congress.

In the opinion of the committee there can be no greater error on this subject than to suppose that it is through a mere exercise of executive authority that the banks has become the legal agent for the payment of pension money—"It took," says the attorney general, "the agency from the commissioners of loans by substitution in their stead; and those commissioners derived it from an executive regulation." But the substitution was by an act of congress. In addition to those parts of the act of the 3d of March, 1817, to which we have referred for the purpose of showing this, the third section of the same act directs "that it shall be the duty of the secretary of the treasury to notify the president of the United States that the duty now performed by the commissioners of loans will be transferred to the bank of the United States, and shall so direct the commissioners of loans, and the agents for military pensions where there is no commissioner, respectively, in the several states, to deliver to the president of the United States bank or to the president of a branch thereof, or to the president of such state bank as the bank of the United States may employ on such day or days as he may designate, the register and all the records and papers of the respective officers, and it shall be the duty of said commissioners of loans, and agents for pensioners to comply with the said direction, and also to duplicate receipts for the delivery of the papers and records herein described, one

of which shall be transmitted without delay to the secretary of the treasury—Provided, That this act shall not be construed to extend to any agent for military pensions in any state where there is no bank established by law." The fourth section of the act abolishes the offices of commissioners of loans upon the delivery of the said records and papers. The office of commissioner of loans, was created by the act of congress "making provision for the debt of the United States" approved on the 4th of August, 1790. The commissioner of each state was thereby enjoined, among other things, to pay the interest on the loan proposed by that act as the same should become due, and generally to observe and perform such directions and regulations as should be prescribed to him by the secretary of the treasury touching the execution of his office. The twelfth section of the same act compels the commissioners to give bonds, with one or more securities, conditioned for their good behaviour in their offices, respectively. Whether these officers were originally bound by executive regulation only, or by express act of congress, to discharge the duty of agent for the payment of military pensions, is of no consequence, if it be conceded, as it is, that such was a part of their duties. "The president of the bank and the attorney general, in their several communications referred to the committee alike admit the well known fact that these commissioners were employed as agents of the government in the payment of pensions, and that they continued to be so employed until after the organization of the bank of the United States. The act passed on the 24th of April, 1816, authorises the secretary for the department of war, "to appoint some fit and proper person in those states and territories where there is no commissioner of loans, and also in the district of Maine, to perform the duties in those states and territories, and in said district, respectively, relating to pensions and pensioners which are now required by said commissioners in their respective states." This act recognises the duties of pension agents as pertaining to these commissioners before the passage of the act of the 3d of March, 1817, and restricts the secretary's power of appointment to places where there is no commissioner of loans. Since the bank of the United States has been substituted in lieu of these commissioners, by what statute is it that the secretary is authorised to appoint pension agents in any state or territory where the bank, or one of its branches has been established.

The secretary of war, in his correspondence with the president of the bank, (to be found in their reports of committees of the house of representatives at the first session of the 23d congress, No. 460, page 489), so late as the 1st of March, 1832, admits that, "from a careful examination of the laws of congress, he is satisfied that the department of war is not warranted in appointing a pension agent in any state or territory where the United States' bank has established one of its branches." It is not intimated to us that the secretary has ever changed this opinion. It was not hastily formed. It was not given by him without the existence of an important case, requiring him to decide with caution. It was the judgment of the very officer who has, by his order, attempted to remove and to annihilate the pension agency established by congress, and who has constituted fifteen other agencies, entirely independent of each other, to supply its place. No matter who may desire to take the responsibility of the net which the secretary of war has committed, we can look only to him as properly answerable for it; and it is therefore that we refer particularly to his opinion which, under any other circumstances, would have come to us as the conviction of an able expositor of the law, but would have been entitled only to the same weight which we should have accorded to any other man of equal learning and ability. To enable the senate to see under what circumstances this opinion was given, let us recur to a part of the history of the bank. It appears by the document last referred to, that, in the summer of 1829, an attempt was made by the honorable John H. Eaton, then secretary of war, to remove the pension agency from the branch bank of the United States at Portsmouth, in New Hampshire, to a state bank at Concord, in that state, and that by the authority of the secretary to effect this was then denied by the bank of the United States. The commissioner of pensions, in his letter to Mr. Mason, the president of the branch bank, in New Hampshire, dated the 25th of August, 1829, says, that, "in changing the agency, the secretary of war conceived himself authorised by law to do so, and was actuated by a regard to the interests of the pensioners, in wishing to have them paid in that part of the state where the greatest facilities are presented." If this were intended as an apology for the act of the then secretary, it cannot avail in the case now before us, because the agent selected by the present secretary is the Commercial bank at Portsmouth, the very place where the branch bank of the United States is established. But whatever may have been the object of this part of the correspondence, the rest of the letter of the commissioner waives all further discussion of the subject, revokes the order for the change of the agency and directs the branch bank of the U. States to resume its duties. Two years afterwards there was a similar attempt "with a view to accommodate the pensioners," again; and a transfer was actually made of a considerable part of the pension list from the office at New York to the Mechanics' and Farmers' bank in the city of Albany. The bank of the United States strongly remonstrated against the measure as illegal and unwarrantable. A change of the heads of departments having occurred after the alteration of the agency, the bank appeared to the present head of the department of war, in a letter dated the 10th of August, 1831,

and the subject was held under advisement by that officer until the 1st of March, 1832, a period of more than six months, at the expiration of which the secretary writes to the president of the bank, as before stated, his entire satisfaction, from a careful examination of the laws of congress, that the department is not warranted in appointing a pension agent. "Hence," says the secretary, "the agent at Albany has been notified that his appointment, by this department, has from this day ceased." And so the matter ended.

This opinion of the secretary is approved and adopted by the committee. It was formed in the spirit which should direct all the operations of a government recognising nothing arbitrary or oppressive in its character, and we think that the retraction of error, when thus convinced of it, after taking due deliberation, was honorable as well as just in the officer. To support him in the result at which he had arrived, he saw among the acts of congress, which he professes carefully to have examined, that an act of congress had been at all times held necessary to create a new pension agency; in pursuance of this construction, on the 3d of March, 1819, an act passed by which the secretary of war was authorised to appoint an agent, in addition to one already appointed in the state of Tennessee, for the purpose of paying pensioners of the United States residing in East Tennessee; that, again, on the 20th of May, 1826, the secretary of war was "authorised to establish a pension agency at Pittsburgh, in the state of Pennsylvania, for the payment of pensioners of the United States, resident in that vicinity;" and that the secretary of the treasury was, by the same act authorised to make the necessary arrangement with the bank of the United States for paying the before mentioned pensioners at the office of discount and deposit of said bank at Pittsburgh. He knew that the secretary of war could not exercise the power of appointing such agents as his own deputies; that he was not the paymaster of pensions; and that long before the charter of the bank, while the agency remained in the hands of the commissioners of loans, congress found it necessary, by the act of the 7th January, 1809, to give even him authority to act as agent in a few cases, by enacting "that every pension, or arrearage of pension due to every officer or soldier residing in either of the United States or the territories thereof in which there has not been appointed an agent for the payment of pensions, shall be paid at the seat of the government of the United States by the secretary for the war department, and that the name of the pensioner shall, on his application to the secretary of war, be transferred from the books of the state in which it was originally registered, to a register to be opened for that purpose at the war office of the United States;" the act of congress of the 24th of April, 1816, authorising the secretary of war to appoint pension agents where there was no commissioner of loans, was also before him, to satisfy him that, as well before as after the bank had assumed the agency, no such agent could be created by the head of his department. He took no distinction between the act of the 15th of May, 1828, and any other pension law of this government; but, with a full knowledge of all the views of his predecessors, with all the books and accounts of his office before him, exhibiting the construction which had ever been given to the duties of the bank—with the aid of all the learning of the then attorney general, if he choose to put it in requisition, he concurred in the result at which Mr. Binney, Mr. Sergeant and Mr. Mason, had before arrived—that new pension agents could not be appointed by the department, except in the single class of cases in which such appointments were expressly authorised by the act of 1816.

As to the expediency of the law, which was thus considered settled by the secretary, whether we consider the importance of a permanent establishment of such an agency in reference to the chief object of its creation, which was the payment of pensioners in a sound currency, without charge to the government; or, in reference to the limitation it was supposed to have fixed for the exercise of executive power over this portion of the public treasure, we are convinced that it was such as highly to recommend it in its origin, and that it is yet such as to forbid any change of its provisions. At the time of the passage of the act of the 3d of March, 1817, the government incurred great expense in the payment of salaries and clerk hire, appertaining to the commissioners of loans. The bank having assumed the duties of those officers, without charge on the treasury for their performance, incurred no responsibility, the neglect or refusal to meet which subjected it to all the penal consequences of a violation of its charter. The pension agency is a duty imposed on the institution, onerous and expensive, which the president of the bank now informs us it is willing to be discharged from if congress the creator of that agency, will release it; and that it is a burden, and not a mere benefit to the institution, is satisfactorily established not only by his declarations, but by the concurrent testimony of several of the local banks to which the public deposits have been recently removed. Thus the president of the Mechanics' bank at New York, in his letter to the commissioner of the 27th of January last, complains: "The agency, as I learn, is exceedingly complicated in its details, requires considerable office room, the employment of at least three clerks, which must necessarily involve us in a very considerable extra expense. Why this bank should have been selected to perform this service, whilst the other selected banks here are exempt from the responsibility, labor and expense, is a matter of some surprise, particularly when it is known that we have not hitherto had a due proportion of the public deposits. Having assented, however, in our agreement with the treasury, to pre-

form the duties incidental to the agency, we cannot of course object to the execution of those duties, but must, at the same time, be permitted to say that an agency involving such great responsibility, arduous duties, and heavy expenses, should be borne in common by the three banks; or, if this should be considered impracticable, that the other two should at least bear a pro rata portion of the expenses."

In several instances presented by the correspondence between the commissioner of pensions and the presidents of the state banks, which have been recently selected as banks of deposit, those officers have declined the agency, or refused to give bond for the performance of the duties. In some cases the local banking corporations are themselves made executive agents; the presidents of banks are selected, without any accountability on the part of the banks over which they preside. For the performance of this trust, before the change was made, the whole capital of the bank of the United States was bound to this government. The institution, by long practice, had become expert in the conduct of all the complicated details of the trust confided to it. It had reduced the whole business of the agency to a system which alike secured the interests of the government, and the pensioners, and its own stockholders. "We have no evidence," says the commissioner, in a letter from the pension office to the president of the Girard bank in Philadelphia, of the 24th of February last, "that the United States bank has ever lost a cent by paying pensions, although that institution and its branches have disbursed large sums for this office for seventeen years past." And while the bank was so well managing this interest for its own stockholders, we have never heard that, at any time, the government found fault with its accounts, or that any revolutionary soldier, or other pensioner on the lists, was turned from its doors without receiving in hard dollars, or their full equivalent in value, the whole amount of the intended bounty of his country, unless the executive department had previously interfered to arrest the performance of the duties of the corporation. In the judgment of your committee, this trust, for the performance of which the honor, faith and best feelings of the country are enlisted, cannot be as well discharged by individual agents, or by state institutions, which owe no responsibility to this government, and which, finding no source of profit in the pension fund, already view it, and may soon treat it, as an incumbrance. Should they be all equally faithful with the bank of the United States, can it be expected that fifteen new agents, acting independently of each other, can be equally skillful? Is it to be anticipated that they will all adopt the same guards, both for public and private security? pursue the same mode of accounting and transacting the business which has been perfected by the bank of the United States after seventeen years' experience? or maintain any one general system whatever, to attain the same objects? We think that as, by the new arrangement different agents are selected to pay the pensions under the act of the 7th of June, 1832, and as the bank of the United States is still to pay all pensions allowed by laws anterior to that date, there will be no longer any one system preserved in the pension agency of the government, and that the confusion incident to this state of things will be an evil much to be regretted. We think, too, that should congress sanction the changes which have been made, it is by no means without the range of probability that, at no very distant period, and at some one of the numerous agencies recently created, those gallant defenders of their country, who have attracted the president's sympathies in the message before us, may sometimes receive their allowance in depreciated currency. In the opinion of the committee, therefore, however willing the bank of the United States may be to relinquish this agency by the permission of congress, the object for which the trust was established requires that it should not be permitted to discharge itself from the obligations it incurred by the assumption of that trust. The policy of that limitation of the executive power over this portion of the public treasure, which was acknowledged by the secretary of war, as we have stated it, is to the committee not less apparent. The permanent appointment of an agent, not subject to removal at executive discretion, is important to secure a steady and punctual payment of the money upon which many of the pensioners depend for actual subsistence. To subject them to the inconvenience and loss arising from a change of the agency at every revolution of the political wheel, would be not only to embarrass and distress those who should meet with no obstacles in the receipt of the meed of their patriotism, but to add another stream to the swollen current of power which already threatens to deluge and destroy the best interests of the country.

The committee might here have rested on the secretary's own view of the subject, but for the reasoning of the attorney general, contained in the opinion accompanying the president's message. This opinion appears to have been given, at the request of the president, one month after the order issued from the department of war. Thus called upon either to justify or condemn a measure of the administration which had been previously adopted, the arguments of the attorney general do not seem to us to concur with that view of the powers of the department of war which the secretary himself had formerly taken.

He introduces his principal argument with the assertion that all the pension laws up to the 3d of March, 1817, provided only for invalids; that the act of the 18th March, 1818, which authorized the payment of pensions to certain indigent officers and soldiers of the revolution, declared that they should be paid "in

the same manner as pensions to invalids, who had been placed on the pension list, were then paid;" that similar clauses have been inserted in the various pension acts since passed; and he distinctly admits that the payments under all those acts are to be made through the agency of the bank, *except so far as congress shall have authorised*, by special laws, the employment of other agents. He then denies to the acts of 1823 and 1832, the character of pension laws; on which last position his chief argument is rested. Before we proceed to examine this, we will notice the remarks with which it was thus introduced, and the inferences which the reasoner intended, as we presume, should be drawn from them.

It is not true that all the pension laws up to the 3d of March, 1817, provided only for invalids; because, among other laws which might be mentioned, the first section of the act of the 16th of April, 1816, directing half pay for five years, for the widows and children of officers and soldiers who died in the service during the last war, is not a law providing only for invalids. This act, which, it is to be observed, does not designate the agent to pay the pensions allowed by the section referred to, was extended by the act of the 3d of March, 1817, to the widows and children of the soldiers of the militia, volunteers, rangers and sea-fencibles. The second section of the act of 16th of April, 1816, providing half pay for five years to the children of such as died in service in the last war on the relinquishment of bounty lands, directs "the payment thereof to be made when and where other military pensions are or shall be paid." It will be seen, then, that the argument which would exclude from the agency of the bank all pensioners except invalids, and those who are by express act to be paid in the same manner as invalids, would have excluded pensioners under the first sections of the act of the 16th of April, 1816, and of the act to amend that act, passed on the 3d of March, 1817. But the agency of the bank was always extended to them. They were indisputably entitled to the character of pension laws, the payments under which, by the admissions of the attorney general, must be made through the agency of the bank, except so far as congress shall have authorised, by special laws, the employment of other agents. The committee do not consider the bank as deriving its agency under the pension act of the 18th of March, 1818, or any other act, from the mere direction that payment shall be made "in the same manner as pensions to invalids are now paid." The mode of payment might well be, and, indeed, frequently is, prescribed in an act recognising the existence of an established paymaster. Had there been no other authority from congress than is to be found in this clause, to constitute the agency of the bank, the secretary, so far from admitting, as he did on the first of March, 1832, that the department was not warranted in appointing a pension agent where the bank or one of its branches was established, would probably have informed the president of the bank that different agents could pay the pensioners "in the same manner," and that the new mode of paying invalids could be as strictly observed by the Mechanics' and Farmers' bank at Albany, as by the branch bank of the United States there established.

The committee is now prepared to examine the principal argument advanced by the attorney general, and most relied upon by him to justify the order of the secretary. He maintains that the act of the 15th of May, 1828, "for the relief of certain officers and soldiers of the army of the revolution," and the supplement thereto of the 7th of June, 1832, are not pension laws; that they have no connexion whatever with the general system of pension laws, but are the commencement of another, and an entirely different system. He asserts that these are laws in which the "pay" mentioned is to be understood as contradistinguished from "pensions" and which carefully avoid any such expression as might connect them with the system of pensions.

The committee have investigated this question, and they find that both houses of congress, the president, the secretary himself, the commissioner of pensions, the secretary of the treasury, and indeed every department of the government, having occasion to administer or to refer to these acts, have, from their very origin, invariably treated them as pension laws, until the present controversy arose; while the committee do also find the character of pension acts indelibly impressed on the laws themselves by the hands that framed them.

By reference to the history of the debates at the time of the passage of these laws, it appears that each of them was advocated and opposed in both houses of congress as pension laws. In principle, these pensions are founded on the same revolutionary services with those conferred by the act of 1818, which is admitted to be a pension law. The acts of 1828 and 1832 both contain a perpetual appropriation, but it seems that special appropriations to meet the expenses of the act of 1828, were annually made and continued until the year 1833, and that each of these appropriations is for "revolutionary pensions." By the act of the 12th of February, 1828, there was appropriated "for the revolutionary pensioners of the United States," (meaning those embryonic pensioners of the act of 1818) \$564,236. The pension act of 1828 having passed on the 15th of May, a new appropriation to meet the expenses incurred by it was made on the 24th of May, for the pensions to the revolutionary pensioners of the United States, \$200,000. The appropriation of the 3d of March, 1833, recognises the claimants, under both the acts of 1828 and 1832, as pensioners, in the following words: "For the Revolutionary pensioners under the several acts prior to that of 7th June, 1832, \$624,655." The same appropriation act of 1833, which, it is to be observed, was passed at the se-

cond session of the 22d congress, and by the framers of the act of 1832, whose contemporaneous exposition of that law ought to have some weight in deciding on its character, contains another appropriation in the following words: "For additional temporary clerk hire during the years 1832 and 1833, in order to carry into effect the act of 7th June, 1832, granting revolutionary pensions, \$24,039."

At the same session, and on the same day, a joint resolution was passed by both houses in relation to the act of the 7th June, 1832, which ordains that, "in the execution of that act, whenever it shall be made to appear that any applicant for a pension under said act entered the army of the revolution in pursuance of a contract with the government made previous to the 11th of April, 1783, and continued in service until after that period, it shall be the duty of the secretary of war to compute the period of any such applicant's service from the time he thus entered the army, and until the date of the definitive treaty of peace, and to allow him a pension accordingly." If it be insisted that the very congress which made the law misunderstood its character, let us next inquire how the president himself has always understood it until his recent message. The act of the 2d March, 1833, provides "that a commissioner of pensions shall be appointed by the president and senate. He shall execute, under the directions of the secretary of war, such duties in relation to the various pension laws as may be prescribed by the president of the United States." It appears by the statement of the attorney general that, immediately after the passage of the law of 1832, the president assigned the execution of it to the commissioner of pensions, to whom the same duty has been ever since prescribed by the president. The president must, therefore, have always regarded this act as a pension law. If it be not of this character the order to the commissioner of the 2d of January, 1834, is illegal, as the president was only authorized by it to prescribe the duties of the commissioner "in relation to pension laws."

The president signed and approved both the act and the joint resolution of the 2d of March, 1833, before referred to, in which this act of June 7, 1832, is over and over again characterized as a pension law in express terms. We know that his message now expresses his entire concurrence in the views of the attorney general, but may he not be understood as referring rather to that officer's general conclusions than to all his particular arguments? We incline to that interpretation of the message in reference to this part of the subject, more especially because we find that nearly all the members of his cabinet, as well as the commissioner of pensions, have always styled and treated this act of the 7th June, 1832, as a pension law. To begin with the secretary of war, under whose direction the commissioner of pensions has always acted in execution of the duties in relation to this law prescribed by the president. In the close of his annual report of the 29th November, 1833, accompanying the president's message, and which we presume must have met the approbation of the president, he states, "there have been presented for allowance under the PENSION ACT of June 7, 1832, thirty thousand six hundred claims. The whole of these have been examined, and either admitted, rejected or returned to the parties for supplementary action." \* \* \* "It is creditable to the industry and efficiency of the pension office that such a mass of business should have been performed within the period which has elapsed since the passage of the above law."

The secretary, in a letter to the commissioner, dated Nov. 2d, 1832, observes, "on consultation with the attorney general, I have decided, that the probate courts of Vermont and courts of record, within the meaning of the regulations prescribed by the department for carrying into effect the act of June 7th, 1832, granting revolutionary pensions." In another letter to the same officer, dated February 21st, 1833, the claim under this act is again characterized as a pension. The present secretary of the treasury, in his report on the finances of the 17th of December last, page 5th, described these claims as "revolutionary pensions under the act of the 7th of June, 1832." In his account of the expenditures for 1833, they are included, with all others of the same character, under the designation of "pensions." The present secretary of state, when secretary of the treasury, in his account of the expenditures for 1832, describes them as "revolutionary pensions per act of seventh of June, 1832." The commissioner of pensions, in his report of the 27th of November last, gives us a "statement showing the number of persons that have been placed on the pension roll of the different states and territories under the act of June 7th, 1832;" also, "a statement showing the number of persons who have died since making application for pensions under the act of June 7th, 1832;" also, "a statement showing the number of persons who have applied for pensions under the act of June 7th, 1832;" also, "a statement showing the number who have relinquished their pensions under the act of March 16th, 1818, and have been placed on the rolls under the act of June 7th, 1832;" and he concludes by informing us, that there have been sent to the pension agents during the year past, "to pay pensioners under the act of June 7th, 1832, \$547,170 57." In all the letters of the commissioner to the new pension agents, the law receives the same construction; and in the very order of the 2d of January last which is the subject of examination, he assigns the reason that the selection of the local banks as the future places of deposit, render it necessary that those banks should "discharge the duties of agent for paying pensions, under the act of June 7th, 1832." If therefore directs the bank of the United States to "cease paying said pensioners."

It is relied upon by the executive, that the act of 1828, like that of 1832, uses the word "pay," instead of "pension." So does the first section of the act of April 24th, 1816, the claimants under which are admitted to the benefits of the pension agency, and have been always designated by the name of pensioners. In the opinion of the committee, the use of the word "pension" in a law is not essential to entitle it to the character of a pension law. Whether it be or be not entitled to that character, must depend on the general intent of the legislature, as collected from all its provisions. This like other pension laws, provides that no person receiving any annuity or pension under a former law, shall be entitled to its benefits, "unless he shall first relinquish his further claim to such pension." The construction given to this by the department, may be discovered in the declaration prescribed by it in order to obtain the benefit of the act, in which declaration the applicant is required to say, "he hereby relinquishes every claim whatever to a pension, except the present." Like the other pension laws, it provides that "the pay allowed by it shall not be in any way transferrable, or liable to attachment, levy or seizure, by any legal process whatever, but shall enure wholly to the personal benefit of the officer, non-commissioned officer, musician or soldier, entitled to the same."

If this were regarded by congress as a law for the payment of an actual debt by instalments, and not a pension act, why was the debt secured against creditors? Why should the pay enure wholly to the personal benefit of the claimant, free and discharged from the ordinary operation of the law on other men to whom the public money is paid for a public debt? Was it ever held before—can an instance be adduced from the annals of congress, in which such a provision has been introduced to secure any mere creditor of the government against the just claims of his own creditors? The fact is, that, by our laws, no pension is conferred except for services rendered. Congress does not grant pensions to court favorites, nor mere gratuities under any pretext. We understand the term "pension," as it is commonly defined, "an allowance for services rendered, to be paid at stated intervals." We are compelled to reject any construction of the law which places the services of the six months' militia man, or of the Indian spy, under the act of 1832, above that of the regular soldier who served till the end of the war of the revolution, and is entitled to be paid under the act of 1818. Both are meritorious. But the character of a debt can surely not be conferred upon the claims of the former with more propriety than upon those of the latter.

It is to be observed that the opinion of the attorney general appears to be at variance, on this subject, with that of his immediate predecessor, the hon. R. B. Taney, the present secretary of the treasury. Mr. Taney, in his reply of the 27th of October, 1832, to a question proposed by the present secretary of war, touching the execution of the act of 7th June, 1832, says: "It is not obligatory on the secretary of war to issue a new pension certificate when the party has pledged it for a debt, and the creditor refuses to deliver it without payment. The law does not require the certificate, in such a case, to be renewed, &c. But as the law intended to prevent the pensioner from selling or mortgaging his pension, it would defeat its obvious policy if the creditor, by withholding his certificate, could deprive the party of his pension, and thereby compel him to appropriate a part of it to the payment of his debt. The act of the creditor, therefore, ought not to prevent the payment of the pension; and, if satisfactory proof is offered that the certificate is in the hands of the creditor or any other person, and that it has been demanded by the pensioner, and the delivery refused; and if sufficient evidence is also adduced of the identity of the applicant for the pension, I think he is entitled to payment." In the same letter, he also says: "the act of June 7th, 1832, granting pensions for revolutionary services, is not confined to resident American citizens. The first section gives the pension, &c."

In an opinion given by Mr. Taney to the secretary, dated May 18th, 1833, he observes that, "by a liberal construction of the first section of the act of 1832, every officer who was entitled to a pension under the act of May 15th, 1828, would be excluded from a pension under the act of 1832. And if such a construction were adopted, an officer who had served to the end of the war as ensign, &c. would be excluded from a pension under the last mentioned law. But, looking at the whole act, it appears that those who were on the pension list of 1828 were not excluded, &c. The third section of the law shows that it was not designed to exclude any of those who had pensions under other acts of congress, where the pensions of the act of 1832 were more favorable to their interests. \* \* \* \* \* If the commissary, therefore, held no rank in the line, he would be entitled to his pension, because he was not provided for by the act of 1828. \* \* \* \* \* And as, in the case you state, the applicant was not entitled to a pension as commissary under the law of 1828, he is not excluded from a pension on account of services in that character under the act of 1832, and is entitled to the pension as commissary upon relinquishing his claim as ensign."

Among the documents referred to us, are the copies of two bonds, which appear to have been taken from the agents at Cincinnati and Portland, (Me.) the one dated the 13th, and the other the 20th of January last; each of which is expressly conditioned for the performance of the duties of agent for paying pensions under the act of congress of June 7th, 1832. We know not that any others have been received by the department; but

in reference to these, independently of the fact that no law exists authorising the commissioner to take such securities, if the attorney general's construction of the law be correct, the utility or value of the instruments may be questioned. We forbear, however, to express any opinion on that subject, or to swell this report with further extracts to prove the executive construction of the law. Suffice it to say, that, although the attorney general so strongly maintains that the acts of 1825 and 1832 are to be distinguished from all pension acts, and that they are not entitled to the name of pension laws, we find that no other officer of this government who has had occasion to consider the subject, has ever adopted his construction. He may, we think, support a claim, as the discoverer of this distinction, without a competitor.

It remains for the committee to examine another argument advanced in defence of the secretary's order, founded on the provision in the acts of the 15th of May, 1825, and the 7th of June, 1832, relative to the manner of paying the pensions they allow. The clause referred to in the first act is in these words—"that the pay allowed by this act shall, under the direction of the secretary of the treasury, be paid to the officers or soldiers entitled thereto, or to their authorised attorney, at such places and days as the said secretary may direct." The act of 1832 contains a similar provision; and the resolution of congress of the 28th of June, 1832, transfers to the secretary of war all the duties which devolved upon the secretary of the treasury, by virtue of that act. The money appropriated by the act was, in pursuance of this provision, drawn from the treasury by warrant, and under the direction of the secretary of war, deposited in the bank as the established pension agent of this government. It is now contended that the secretary may of right, without the aid of congress, change the pension agency, so far as regards the pensions under this last act, from the bank which has exercised that agency since the law was passed, or, in other words, that he may appoint fifteen other banks or private individuals to do the same offices which that bank has hitherto performed. The case presented is, that, of two agents, each appointed by congress, the one to act under the direction of the other. But the agent appointed to direct, claims the power to annihilate the other, and to substitute in lieu of it fifteen new agents to do the same duties. The committee propose to inquire from what part of the clause in question such a power is to be derived.

Is it from the words, "the pay allowed shall, under the direction of the secretary, be paid to the person entitled thereto?"

Or is it to be found in the remaining part of the sentence, which orders the payment to be made "at such days and places as the secretary may direct."

It is admitted by both parties, as we have already stated, that the agency of the bank under the laws up to the 3d of March, 1817, inclusive, can be changed only by act of congress. The act of that date commands the bank to observe and conform to the directions which have been, or may thereafter be, prescribed by the secretary of the treasury, with the approbation of the president of the United States, touching the execution of its duties as commissioner of loans. The clause in question, in the act of June 7th, 1832, is of similar import, though it subjects the agent in the execution of the duties to the direction of a different executive officer. We have not heard that it was ever intended that these words in the act of the 3d of March, 1817, gave the executive such a power as is claimed for a similar provision in the act of 7th June, 1832. The commissioners of loans were bound to pay, under the directions of the secretary, before the bank charter; yet the power to abolish their agency was never claimed by any executive, nor the power to substitute a pension agent to act in conjunction with them. The secretary, by the act of April 24, 1816, was authorised only to appoint pension agents in those states and territories "where there is no commissioner of loans." When this act, and the other acts before referred to, authorising him to appoint pension agents in Pittsburgh and Tennessee, were passed, was it imagined that any executive department had the power now claimed by virtue of the injunction to be found in our laws on all pension agents; compelling them, in the execution of their duties, to act under the direction of an executive officer? If these words give such a power we see not why the agency of the commissioner of pensions, who is, as we have seen, bound to execute his duty under the direction of the secretary of war, might not be abolished by the secretary, and fifteen other commissioners appointed by him to execute the same duties. Scarce two years have elapsed since a bill passed the other house to authorise the secretary to appoint a pension agent in Alabama. This bill, we know, was defeated in the senate because it was thought to be altogether inexpedient to interfere with the duties of the bank. The same bill is now before congress again. Until the order of the secretary of war was issued, its friends as well as its enemies thought the power to change or abolish an agency was not involved in the power to direct the agent, or to check him in the exercise of his duties, but resided only in congress. If we are mistaken in this—if indeed the power to destroy is incident to the power to direct—we do not perceive why so much of this act of the 3d of March, 1817, as abolishes the offices of commissioners of loans was not rejected as useless by the congress and president who chartered the bank; nor why the high executive power now contended for was not exercised in that day by the same summary mode of changing the pension agency.

The concluding part of the clause in question, which orders the payment of these pensions to be made at "such days and places as the secretary may direct," whether considered sepa-

rately, or in connexion with the preceding part of the section, cannot, in the judgment of the committee, be held as furnishing any authority whatever to abolish the agency of the bank, and substitute other agents in lieu of it. The power conferred by these words is strictly supervisory, and that, too, of a qualified character. The superintending agent derives authority from these words, not appoint the person to pay, but merely to direct the time and place of payment. With an existing pension agent established by congress, and recognised as such by the government for more than forty years, the secretary herein is simply authorised to fix the time and place at which it shall act. In the case of a law ordering money to be levied and collected under the direction of a court, at such times and places as the court shall direct, no one could infer the existence of a power in the court to remove the marshal, or to substitute another person unknown to the laws to execute his duties. The officer of the ministerial agent in that case being created by act of congress, no other office could be created to supersede it, except by the same power. When congress directs money to be paid by the secretary of the treasury, out of any money in the treasury not otherwise appropriated, the treasurer himself, though not mentioned in the act of appropriation, must disburse the money on a proper warrant; because, as in the case under consideration, he is the paying agent of the government, created by act of congress, though bound to pay under the direction of a superintending officer; and in this instance, the power to appoint twenty new treasurers might with as much propriety be claimed for the secretary of the treasury, as the power to make new pension agents is now claimed for the secretary of war.

The distinction between places and persons is essential to a correct understanding of the subject. The right to direct the places where a pension shall be paid, is, as we apprehend, perfectly consistent with the existence of an established agency to perform that duty at that place when directed; and we hold that the mere authority to give or countermand an order to pay, can confer no power to destroy the paymaster, or to make a new one. If the paying agent is, as the adverse argument presupposes, a mere deputy of the secretary, removable at executive pleasure, then the millions which are directed to be disbursed to pay pensions are liable to be placed in the hands of individuals without any security; and we have already seen how the work under this new construction of the law is progressing. We do not believe that congress has so far neglected its duty to the country. We think that the clause reserving to the secretary the right to direct the times and places of payments is the same in substance with that to be found in the act establishing commissioners of loans, and the act transferring their duties to the bank; in both of which it is provided that one of the heads of departments shall direct—not the agent to execute, but merely "touching the execution of his duties."

The attorney general finds in the conduct of the bank, in reference to the order of the secretary to surrender the pension fund, a breach of trust, and a violation of duty to the government. We think, on the contrary, that had it surrendered that fund on such an order, without the consent of congress, it could not have escaped the imputation of having sought a recharter by a dereliction of its trust, and the exhibition of a spirit of insubordination to the executive will. The president, while he concurs in the views of the attorney general, denounces the bank as an "irresponsible money corporation." In what sense is it irresponsible? Its charter provides "that whenever a committee of either house of congress shall find and report, or the president of the United States, shall have reason to believe that the charter has been violated, it may then be lawful for congress to direct, or the president to order, a scire facias to be sued out, calling on the corporation to show cause wherefore the charter shall not be declared forfeited." The responsibility of the bank to the president himself, as well as to congress, in case any provision in the charter has been violated, appears to us to be quite as satisfactory as that of any officer of this government. The 17th section of the charter also provides that the corporation shall not, at any time, refuse payment of any money received upon deposit, and that, if it do neglect or refuse to pay on demand, any money received upon deposit, to the person or persons entitled to receive the same, such person shall be entitled to recover interest on the money until the same shall be fully paid, at the rate of twelve per cent. from the time of the demand. If the president thinks he has reason to believe that this provision has been violated, the remedy is in his own hands, and it appears to us to be ample. If it were not sufficient, congress, on that fact being shown, has the power reserved by the charter to supply any deficiency by farther legislation. We do not understand that the ability of the bank to respond to any pecuniary demand upon it by the government for public dues is questioned; and as an engine of power, with all the guards placed around it by the charter, we think it is far less to be dreaded than twenty state banks, afflicted by their allegiance to a common master, and strengthened not only by the funds of the pensioners, but by all the money in the treasury.

We are also told that the refusal of the bank to deliver over the books and papers belonging to this agency is a still more palpable breach of the duty which results from what the attorney general terms the subordination of the agent to his principal. If the secretary, instead of congress or the government, were the principal, and the bank merely the secretary's deputy, the right of the former to the custody of these books and papers before a final settlement of the accounts, might well be ques-

tioned by the latter. But when we repudiate the whole doctrine which subjects the pension fund to be disposed of at the will of the executive, and acknowledge congress as the power which created the agency, this executive pretension become absolutely preposterous. We have shown that the act transferring the duties of the commissioners of loans to the bank of the United States, and abolishing their office, directs them and the agents for military pensions, where there is no such commissioner, to deliver to the bank "the register, and all the records and papers of their respective office," and that, "upon the delivery of the records and papers, the office of the commissioners shall be abolished." The books and papers of the pension agents of that day were, therefore, deposited in the bank by virtue of a positive statute, and neither the congress that passed the bank charter, nor the president who approved it, seems to have supposed that it could obtain them in any other way. What was considered in 1817 as no fit subject for mere executive regulation, does not now appear otherwise to the committee than it did to the framers of the charter. Without legislative interposition, the books and papers necessary for the transaction of the business of the pension agent should remain in the bank; and neither executive denunciation, nor any mere desire of the corporation to get rid of a troublesome and expensive duty should induce it to desert the important trust which has been confided to it by the legislature of the country.

We understand the attorney general as claiming for the department of war the custody of these books and papers during the interval between the semi-annual payments, even though it should be obliged to return them again to the bank when the day of payment shall arrive. The order of the secretary was for a permanent and absolute transfer of the books and papers; and, in justice to the directors of the bank, the committee feel bound to say that the attempt of the attorney general to put them in the wrong, by placing the order of the secretary, which they have refused to obey, on the basis of a mere request for the temporary use of the papers until the day of semi-annual payments should return, is not warranted by the facts, and is so far an abandonment of the real ground of the controversy.

We cannot take leave of the opinion of the attorney general without farther commentary on his concluding observations. He contends not only that the books and papers, but the funds also in the pension agency, may be removed for temporary purposes. "They (the books and papers) are," says he, "exclusively the property of the government." Hence he contends that "the government" is entitled to them during the interval between the semi-annual payments! "The same remark," he adds, "may also be applied to the moneys of the agency, which the government is not bound to leave on deposit in the bank, even if it were admitted that the law has imposed on it the duty of employing the bank to pay them out. The conduct of the bank, regarding it in this light, and independently of every other objection, appears to me to be wholly indefensible."

The president, in the message, says, "I add my entire concurrence in the views he (the attorney general, in this opinion) has taken."

What is meant by "the government?" If this expression here has any meaning, it is confined to the executive department alone. No other branch of the government had any thing to do with the change of the pension agency; and in a spirit of candor towards the officer who made this report at the request of the president, we have combated his argument as we felt bound to consider he intended it should be understood. We have, therefore, answered his reasoning in relation to the books and papers of the agency as if he had said that the executive or the department of war was entitled to their custody. But this is not the "government." Ours is a government of laws. To say that the president and congress can, only by law, reclaim the agency; that none but the government, in the proper signification of the word, is entitled to the books and papers, as well as the funds in the hands of the agent it has created, when it may demand them according to the forms of law, is to say just what we have contended for, and to admit what we understand the attorney general to deny. If the attorney general supposes that the president is the government, or that any executive department is the government of this country, it is time that his reading of the constitution should be examined, especially by congress.

The power to remove the public deposits from the bank has never been confided to the secretary of war. The bank charter enacts that the deposits shall remain in the bank, unless the secretary of the treasury shall otherwise direct. The duties of the latter, under the act of the 7th of June, 1832, which devolved on the former officer by virtue of the joint resolution of the 25th of June, 1833, do not embrace the superintendence of the system of finance, but the direction of the times and places of paying one class of pensioners. When the secretary of the treasury shall direct the surrender of these funds, after his warrant for them has been once issued with all the forms of law; after they have been paid out of the treasury on that warrant into the bank, and there placed to the credit of the pension fund, it will be time to consider whether his direction ought to be obeyed, and whenever it shall be decided by the secretary of the treasury that the pension fund is still in the treasury, and he shall attempt to give the proper attention to the subject. But if the power is now claimed to be in the secretary of war (in virtue of his right to direct the pension agent) to put the pension fund in his pocket when he pleases, or, during the in-

tervals between the semi-annual payments of pensioners, we find in the laws no warrant for such a pretension. The duties of the secretary were to be auxiliary to those of the bank in the duty of paying pensions. Their co-ordinate powers are misunderstood when the former attempts to remove the latter, as his subordinate, at pleasure, or to assume the execution of those duties which congress has confided to the latter alone.

It appears that, in the matter which has been referred to the committee, the bank has acted only on the defensive, and has done no more than is required of every trustee. It has assumed no attitude which ought to be considered as offensive to any department of the government, but it has been faithful to its trust. In this country every man must exercise his own judgment in matters touching his rights and duties. This is incident to his right of self-defence. And the president demanded of the bank their banking house in Washington as a suitable place for the treasury department, after the late conflagration of the treasury buildings, might not the bank have decided against the application without being censured for "sitting in judgment upon the legality of the acts of the constituted authorities?" May not the opinion of the corporation upon the construction of any law differ from that of the executive officers of the United States? The citizens who subscribed for stock in this bank have not thereby lost the right to sit in judgment, in this sense, on the acts and conduct of any man or set of men in this nation, who, in their honest judgment, may invade their privileges, or seek to deprive them of an opportunity of discharging their duties. The case of a corporation is like that of every individual in this respect. The president has no right to take private property for public use from any man without his consent, or the consent of his representatives, and compensation to him. Now, if the president demands the land of a citizen for a light house, or any other public work, may not the owner consider and decide for himself the question of title, without being reproached for a "usurpation of the judicial power?" Must he who says to an executive officer, "I contend for my property, and have decided that, before I surrender to you what I believe to be mine, I will defend myself in the courts of law," be therefore denounced as usurping judicial power? The bank has done no more to occasion such a denunciation. It has respectfully considered, and fully replied to the executive mandate. Its answer is, that it considers itself bound by the laws of congress not to surrender the pension agency without the consent of congress. It professes its perfect willingness to yield the trust if congress will release it. Without that release, it must, in self-defence, abide a suit in the court, if the executive choose to go to law. It has not relied alone on its own judgment. In doubt of its own opinion, it has left the question to eminent counsel, and, in perfect frankness, it has communicated to the executive officer their views and arguments. This is what the president terms "usurping judicial power," and prescribing to the executive department the manner in which it shall execute the trust confided to it by law. This is called "checking and controlling the acts of the public servants by an irresponsible money-corporation;" and we are gravely told that, if this be tolerated, "the whole frame of our government is changed, and we have established a power in the bank above what we derive from the people." It appears to the committee that the executive in this case assumes to itself the judicial power, for the very reason that it denies to the bank the right to inquire into its duties. It sets up a claim which it will not suffer the bank to deny or doubt. It demands an immediate surrender on its own judgment, and necessarily refuses to the agent of the government the right to invoke the decision of the court for its protection. Such pretensions are new in the history of executive power in this nation. They are unsuited to the genius of the government under which we live; and wherever they shall so prevail, that an American citizen shall not dare to dispute with an executive officer upon any question touching his right to either property, character or liberty, then indeed, in the language of the president, "the whole frame of our government will be changed," and, no matter what may be its name, it will be a hateful despotism.

The president complains that the pensioners will suffer by the conduct of the bank. From a part of the correspondence submitted to us, it would appear that the new pension agents have, in some instances at least, been paying their claims. But if they are indeed sufferers, if delays and embarrassments have been incurred by the gallant defenders of their country in the receipt of the debt which the gratitude of the nation has awarded to them, and which, in many instances, is necessary for their subsistence and comfort in their declining years, it is plain that all those delays and embarrassments have been occasioned solely by an illegal order emanating from the executive, and commanding the bank "to cease paying the pensions." The best mode of exhibiting executive sympathy for the soldiers of the revolution is not in publicly deploring their unhappy fate and their distressed condition, but in rescinding the order which prohibits the bank from paying them their dues. Until this be done, the committee is compelled to requit the bank, when thus arraigned before them on a charge of cruelty to the revolutionary soldiers.

In conclusion the committee recommend for the adoption of the senate, the following resolution, and pray to be discharged from the further consideration of the subject:

Resolved, That the department of war is not warranted in appointing pension agents in any state or territory where the bank of the United States or one of its branches has been established.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 2—VOL. X.] BALTIMORE, MARCH 8, 1834. [VOL. XLVI. WHOLE No. 1,172.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

It is a long time since when we said any thing to our friends about the small money matters between them and us—and we would not now be importunate; but a valuable favor might be conferred, if those to whom the payment of our little demands, now or a short time hence, is unimportant, would promptly recollect and relieve us.

The brief speech of Mr. Heath, our own immediate representative in congress, on presenting the Baltimore memorial praying for a restoration of the public deposits, is inserted in a subsequent page. Mr. H. has fully realized, in all his proceedings, and in this matter especially, the just expectations of those who supported him; and he is, besides, a very industrious and attentive member in the house, and also to the private business and local affairs of his constituents.

The following, from a Philadelphia paper, though not exactly in our way because of its personally political bearing, is such a "good thing" that we give it a place. It is *genuinely* "salted," as major Downing would say.

"Mr. Heath, of Maryland, made some remarks, in the course of which, he stated that he was a Jackson man; that he had supported the administration, but that he was not a "collar man." The speaker called him to order. Mr. Whittlesey, of Ohio, who is not only a sensible, but a pleasant, sarcastic man, remarked, in an under tone, that the speaker was determined not to have any stray horses running about here, without collars on, and therefore stopped Mr. Heath."

We give accounts of two meetings about the bank and the deposits, &c. of very different character, which it seemed necessary to make room for in the REGISTER—one held at Tammany hall, New York, and the other in Monument square, Baltimore; and in the proceedings of each there is much matter for reflection.

A retirement from such publications, and pretty full notices of other matters connected with the proceedings had in this season of excitement, cannot be promised, and the report and counter report of the committee of ways and means of the house of representatives of the United States, and such like papers, *must* obtain room; and other articles will be presented over which we shall not have any sort of discretion; but we are really wearied and worn-out by the pressure of such things, which bears as hard upon our pages, as the pressure caused by the removal of the deposits bears upon our means to print them!—and the misery is, that, in neither case, is there a present prospect of relief to cheer us. But with regard to the REGISTER, itself, we know that its utility is reduced, in the consequent neglect of other important things which ought to be recorded, and which all persons will, hereafter, expect to find preserved in it.

We have a copy of the report of the committee of the mechanics, &c. of New York, giving an account of their visit to Washington and interview with the president, and also of the proceedings of a great meeting of the people held at Philadelphia on Tuesday last, at which earnest resolutions, &c. were passed in support of the president and his measures, in relation to the bank. We cannot give either.

Courage and perseverance have various qualities; and one of the greatest exertions of them is for a member of congress, to rise in his place, and expel the audience, and then whip out the members themselves, in "less than no time," as major Downing says.

## THE CURRENCY, &c. BRIEF NOTICES.

The banks of Pittsburgh have resolved not to receive the notes of the Ohio banks.

A bill has passed both houses of the legislature of Kentucky establishing a state bank.

The bank of Louisville, Kentucky, one of the new deposit banks, has refused to receive further deposits on

account of the United States, and deposited with the branch of the bank of the United States in that city, all the public money or effects in possession, to be paid over as a "special" concern, when demanded.

The Columbia (Pa.) Spy of Saturday says: "We understand that orders have been received to stop all work on the second track of the railway between this place and Philadelphia."

The "New York Commercial Advertiser" of the 1st inst. had the following bank note table—

A considerable improvement has taken place this day. The Eastern bank notes are redeemed at  $\frac{1}{2}$  per cent. discount. *New York*, city notes, par. Long Island, do. Dutchess and Poughkeepsie, do. Hudson River, do. Other River notes, including West Chester,  $\frac{1}{2}$  per cent. Albany, Troy, Lansingburgh and Schenectady,  $\frac{1}{2}$  per cent. All others, west of Albany,  $\frac{3}{4}$  per cent. *New Jersey*,  $\frac{1}{2}$  a 1 per cent. *Pennsylvania*,  $1\frac{1}{2}$  a 2 per cent. *Delaware*, 2. *Maryland*, 1 a  $1\frac{1}{2}$ . *District of Columbia*,  $1\frac{1}{2}$ . *Virginia*, 2 $\frac{1}{2}$ . *North and South Carolina*, 2 $\frac{1}{2}$ . *Georgia*, 3 a 5. *Ohio*, Cleveland,  $1\frac{1}{2}$ . *Georgia*, 3; all others 5. *Michigan*,  $1\frac{1}{2}$ . *Canada*, 3 a 6 per cent.

[The rates in Baltimore, as to eastern money, are much higher. Bills of the New England banks average 2 per cent. and those of New York, except of the city banks, from 2 $\frac{1}{2}$  to 3 per cent. discount—and so of others. Those of the District, and of Virginia, are at a lower rate.]

By the direction of a majority of the stockholders, the Western bank of Philadelphia, has petitioned congress for a restoration of the public deposits to the bank of the United States.

The price of wheat at Le Roy, N. Y. is "five shillings," or 62 $\frac{1}{2}$  cents. It was recently one dollar. At Genesee wheat is said to have "no price." At Zanesville, O. the price of wheat is reported at 37 $\frac{1}{2}$  cents, and flour at Wheeling \$2 30.

Several new banks have just been incorporated in New Jersey.

The Harrisburgh Chronicle of Monday says, "two bids are now before the governor, for the temporary and permanent state loans, but neither of them will be accepted before the 25th of this month—as the time for receiving proposals is extended to that date.

Since the above was in type, we have understood that one of the bids is for \$100,000—the other for \$729,000, being the whole of the balance of the permanent loan of 1833."

The money market, we are sorry to say, becomes "harder and harder," though the bank of the U. S. has much extended its line of discounts at several places,\* and has a circulation of nearly two millions more than it had at this time last year—the removal of the deposits to the contrary notwithstanding. Why then is not the market made easy? Confidence is wanting; and confidence is the life of a free circulation of money. We shall not re-epitulate the unpleasant things before us. The distress so much spoken of is now reaching the "working men." Due bills are issued at many of our large manufacturing establishments, and the desire to build houses seems almost totally suppressed, in an inability to pay the cost of their erection, in all our chief cities and towns. Thousands of persons are yet at work because of the indisposition of their employers to discharge them, though the latter would be gladly relieved of them, at this time.

## ITEMS—OR BRIEF NOTICES.

Gov. Breathitt, of Kentucky, is deceased. Lieutenant gov. Morehead (anti ad.) takes his place.

It will be seen that ex-governor Lincoln has taken his seat in the house, in the place of Mr. Davis, (now gov. of Massachusetts) resigned—and Benjamin Watkins Leigh, his place in the senate, vice Mr. Rives, resigned.

\*The Boston Transcript states that the branch bank discounted three hundred thousand dollars on Wednesday last week.

The "Albany Daily Advertiser" gives the unwelcome report, that some of the Ohio banks have stopped specie payments, and that others were "tottering." We would hope it is not true.

But that the distress which has not yet, as we fear, nearly reached its extent on the sea-board, will reach the interior, must be expected. One thing is certain—the present state of things cannot endure much longer. There must be a restoration of confidence—a general ruin of business men, or a "rag currency," with some few exceptions.

Flour at Cincinnati, Feb. 25—3 dollars. Wheat at Syracuse, N. Y. 6½ cents. Cotton at Mobile, from 7½ to 11 cents. Eastern bank notes, at Baltimore, 2 per cent. discount. New York (country) 3 per cent. The bills of several of the southern banks are at 28 per cent. in New-York.

The draughts of the U. States officers at St. Louis, on the treasury at Washington, have been returned protested.

It is broadly insinuated, that the Pennsylvania state loan, has really been offered for (\$300,000 in part), by the use of moneys belonging to the U. States, through the Girard bank! We are not prepared to believe this.

The nominations of Mr. Livingston as our minister to France; of Mr. T. P. Barton to be secretary to the same legation; of Mr. A. Middleton, jr. to be secretary of the legation of the United States at Madrid; of J. S. Cabot to be commissioner under the Neapolitan treaty; of R. M. Saunders to be commissioner under the French treaty; of J. W. Overton to be secretary to the commission under the Neapolitan treaty, and of Alexander Hunter, as marshal of the District of Columbia, vice Ashton, deceased, have been lately confirmed by the senate.

We have many other such like items before us—but cannot make room for them.

To the editor of the Baltimore Gazette.

DEAR SIR—A writer in the "Baltimore Gazette" (J. S.) a few days ago, had the following paragraph:

"If there was any thing wanting sir, to show that the opposition to the president in this matter—at least among some of the most prominent leaders of it—was the result of mere party animosity, and a disposition to oppose and embarrass him by every means—it might be found in the speeches and writings of those very men, (who are the most clamorous now), in former times, in relation to a similar institution. In fact you might with some plausibility charge the president and his friends with having borrowed their arguments and views against the present United States bank, from those very documents to which I refer. In proof of what I state, I am sure it is not necessary for me to bring to your view the speeches and votes and writings in former times, of such men as Clay, Webster and H. Niles, on the subject—men who are avowedly among the leaders of the bank party at the present moment."

Similar things, and in a much more exceptionable manner, have oftentimes been said of "H. Niles"—but their source was from a quarter that I could not descend to notice.

It is a most unfortunate event that *politics*, properly so called, ever entered into so delicate and profound a matter as the currency of the country. Why such "two-penny" considerations as the interest of office-holders, and aspirants for offices of profit and of honor, should have influence over this subject—or by whom they were introduced, it is not important now to examine: but that even personally political considerations have a powerful influence over it, is not to be questioned.\* To bring about this state of things I have not, knowingly, had the least concern. But thus it was in relation to internal improvements and the protection of American industry—these, too, were ferociously forced into petty political interests and passions. How do the *politics of Pennsylvania*, for a remarkable instance, stand with her hitherto nearly un-

\*How many members of congress would stand opposed to a restoration of the deposits, should the president retrace his steps? Would there be thirty persons, excluding the members from one particular state? I think not. And are there thirty members, except as excepted, that would now advise a removal of the deposits, was the question submitted to them?

nimous support of internal improvements, a protecting tariff, and the bank of the United States, all which were lately considered, and openly avowed, as "PENNSYLVANIA MEASURES," and by all parties in that state? And how stands the case now? These things are only hinted at. They deserve the presentation of a body of official facts, with remarks, that I have not time to collect and arrange at present. But will simply ask—has not a turn of the party-wheel almost capsize what all men regarded as *essential principles* in the policy of the great state just named?

For myself, however, I throw back on the writer of the communication in the "Gazette," the imputation that party, in its present phases, had the shadow of an influence over my conduct, in either of these great points—for I was earnestly the friend of each, (qualified, as I still am, with regard to the last), before the slightest suspicion was entertained that gen. Jackson stood opposed to either; and up to the very hour of his vetoes on two of them, a large majority of his most earnest friends, in the middle and western states, entirely believed that he would respect the "policy of Pennsylvania," which had so faithfully supported him.

Politics, however, had much influence over the minds of the people, as to the old bank of the United States. They were, however, of a more generous and liberal nature, and with a more manifest regard to just principles. And that bank, whether justly or unjustly accused, was certainly believed, (by its opponents), to have lent the whole of its influence to party-politics; and, in those days, I was familiar with many apparently well-attested cases to shew that a man's political principles were weighed by the boards of directors, in granting accommodations; and so, also, with some of the directors of other banks. I do know that the politics of "H. Niles," then an opponent of the administration in 1800, was offered as a reason why a note offered by him should not be discounted—and that that reason was not esteemed a good one; the requisite number of directors believing that the bank had nothing to do with the politics of the party making the note. But as to the present bank of the United States, who ever heard a suspicion breathed, in any manner whatsoever, of its interference with party politics until it was put upon its defence, by a premature attack upon it; premature even if it was proper that its charter should not be renewed? And, while agreeing that it has no claim to a renewal of its charter, as a matter of right, I must say that the uncalled-for attack upon it was, *time and circumstances* being regarded, one of the most extraordinary proceedings that I have witnessed.† It was doing more than "meeting evil half-way." IT INVITED EVIL; and though not, I would hope, so designed by the president, placed the decision of the question much on party grounds. And I have many reasons to believe that this movement had its *origin* (not with the president) but in *local considerations or personal views*.

An examination of these matters would require much room, and a great deal of labor—I think that they are capable of the clearest demonstration; but that would lead to presentations of supposed *motives* of individuals, and open a field for such discussions as have been seldom indulged in by me. If the doctrines that relate to internal improvements, the tariff, and the bank, have been made party matters, I am guiltless of that sin; but do know that certain principles, as to the second especially, which I held and supported more than *thirty-five years ago*, have been arrayed against me as *party politics of these latter times!* The reason is obvious. As persons turn round, they sometimes suppose that a *post* runs against them. This may easily happen in a state of excitement.

As to the bank—I admit *one* change of opinion, and one only, except on that great and glorious principle by which the "chief of sinners" is accepted—being sanctified by *repentance*, evidenced in *good works*.

The change of opinion is as to the *constitutionality* of the bank, in which I followed the "father of the constitution," the illustrious MADISON, and other men of the highest grade in the republic—and also fell in with the

† I could mention the names of several of the present most distinguished friends of the administration, who so regarded the first message of the president in relation to it.

doctrines of ALWAYS "DEMOCRATIC" PENNSYLVANIA, which, more than once, through her DEMOCRATIC legislature, has passed an *unanimous*, or nearly unanimous, vote in favor of that institution, and in the most decided terms, though once opposed to such an institution, as unconstitutional, &c.\* May not the men alluded to, and the "key-state" the "honest state" the "whole" ever democratic state of Pennsylvania, save so humble an individual as H. Niles from political condemnation on this account! But other instances might be added, and equally remarkable, if necessary. They are not necessary. If so, the decision of the council of Castile, that it was "wrong to make a certain river navigable, because that if God had intended it to be navigated, he would, Himself, have made it navigable," was a just one. Is it blasphemy, as it was once considered, to believe that the earth which we inhabit, is a globe and not a plain? Is it the end of knowledge in agriculture to attach a *woman* and a *cow* to the plough—to make horses draw by their tails? or to depend on the stars, and not on the compass, for the correct sailing of ships? *Is knowledge to stand still?*

The change of opinion alluded to was brought about in a certain belief, gradually and cautiously established, of the NECESSITY of a national bank. The constitutional power did not, and yet does not, clearly appear, except in this—that there *must* exist a power to regulate the currency and commerce of the country, so as best to "promote the general welfare." And the necessity of a national bank is now so apparent, that many of the old and most able and strict construers of the constitution, are anxious that the power to establish one should be given by an amendment of the constitution. The good conduct of the bank, too, since its reformation, had much influence over my mind. I never heard of it, or saw it, or felt it, (for many years) as an oppressor, unless in solitary cases, perhaps, not fairly represented. On the other hand, I knew and felt that it was rendering most important services in facilitating and equalizing the exchanges of the whole country, and in furnishing a circulating medium which was more nearly at par than *coin* itself—because of the cost and risk of transportations of the latter, to keep up the exchanges; and soon believed, as I still believe, that these exchanges must be exceedingly embarrassed and greatly diminished, without such circulations of values as the bank of the United States furnished, and would yet supply, if it had only been permitted to wind up its affairs unobstructed by the hostility of "the government." These good opinions of the bank were the result only of considerations of the general benefit, in which I liberally participated—for I never received the slightest matter of favor or accommodation from it, unless of a general nature; and my name, by an act of my own, was never presented to the bank, two instances excepted, to the best of my recollection—unless in the endorsement of checks made payable to me, and remitted from distant places.† Thus seeing and feeling that the

bank was rendering most important public services to the government and people, and accomplishing all the good which its most sanguine friends had expected, without iniquitous exertions of its great power, (which I had so much feared, and would not re-grant in a new charter, as shall be stated below), to produce evil, confidence was yielded because it was deserved; and, the constitutional objection waived for the present, if not surrendered, in the seemingly manifest necessity of some such an establishment.

It does not appear required of me to pursue this part of the subject any further. I opposed the bank as unconstitutional, and now believe that it is constitutional—the expediency of renewing the present act of incorporation, however, is another affair. This change of opinion is freely admitted. It is, perhaps, the only material one that I have made, as to any matter of principle, though between 30 or 40 years before the public as a *free* writer on polity and politics.

But I was opposed—aye, violently opposed, to the bank, on account of what I thought its bad conduct in 1818-19. I truly believed, whether rightly or wrongfully is no matter now, that its management was in the hands of individuals who were improperly using its mighty means to promote their own personal interests,\* at the sacrifice of the public interest; and some things were reported, or made known to me, that I thought deserved the severest reprehension, and so did I reprehend them, with a degree of industry and zeal that was never surpassed; and have always believed that I deserved some degree of credit for the courage with which I attacked this bank, and the "rag barons" generally, and the constancy with which I pursued both, until a reformation was effected, through the force of public opinion—for it was freely predicted and generally believed, by many of my best friends, that I would, and *must*, fall a victim to the power of the paper money makers and lenders of currency. It was not so. When I began the attack, the stock of the bank, being abominably hypotheated, (as I thought), had a selling or a market value of more than 150 dollars a share—when I ceased the attack, because of a reformation effected, the stock was selling at about 85 or 90 dollars. I do not believe, and cannot affect a belief, that this revolution was brought about by myself—but I had, perhaps, rather more to do in it than any other person, and do take some credit to myself for the amendments that were made, whereby the bank was brought back to its *original* purposes, as I esteemed them; and the reform quieted my opposition to the bank, for *then* no desire existed in me to embarrass or destroy it.

With these explanations and references to facts, which are accessible to thousands through the preservation of numerous files of the REGISTER, I appeal to the common sense of my fellow citizens, to the good feeling of every

fire at Fayetteville, (as president of the Mechanical fire company); and the second in the sale or collection of a check on one of the western offices for a little money deposited to his credit therein. His small account was kept in the Union bank of Maryland, (the present deposit bank), in which he takes much pleasure to say, that every request made by him, being considered moderate, (one excepted, and then only for the moment, as it were), has been complied with—since the present administration of that bank, at least.

\* At a meeting held at Tammany Hall, New York, on the 19th Feb. (last) a certain report was presented and adopted, signed by Preserved Fish and James J. Roosevelt, esqs. in which certain extracts were made from my work (the "Register") of 1819, as to the prodigality of some of the speculators in the bank, and the pressure on the people, at that time. There is not one word in these extracts that I will retract. They were true, as were a thousand other things that I said, at the time; and it will be recollected by many that I then prophesied, "palaces would be turned into poor houses" because of such proceedings. Did it not happen? Let the like be avoided, hereafter! But if these matters are brought up in judgment against me,—Peter, the apostle, as is stated below, should *always* be esteemed a base coward and liar. He was not so—nor do honest men so esteem him. The wrong that he committed was washed away by repentance and good works, and so it was with the reformed bank.

It is proper to add, that the pressure on the people above spoken of was as much caused by the deranged state of the local banks, called upon to make specie payments, as by the acts of the bank of the United States. Jobbers and gamblers and shavers were not confined within the walls of that institution.

For the article above alluded to see page 27.

\*The leading "democrats" of Pennsylvania opposed the old bank as being unconstitutional. I cannot just now lay my hand upon the yeas and nays in congress concerning it—but well know that, to put it down, for the reasons assigned above, as well as on constitutional principles, was the "democratic" order of that day.

The Pennsylvania delegation in congress voted against the present bank, on constitutional grounds chiefly—against it 12, for it 7, absent 4.

But the Pennsylvania delegation, with both the senators, (Messrs. Watkins and Dallas), voted for the bill of 1832, which was vetoed by the president—for that bill 24, against it 1, and one absent, in the house. The solitary nay was given by Mr. A. King, the absent member was Mr. Muhlenberg.

And in 1832, the following resolution passed the legislature of Pennsylvania unanimously:

Resolved by the authority aforesaid, That connected as the prosperity of AGRICULTURE and MANUFACTURES are with the successful financial operations and sound currency of the country, we view the speedy rechartering of the bank of the United States as of VITAL IMPORTANCE to the public welfare."

†These things are mentioned because that venal and corrupt men always measure other men's actions by the base motives which influence their own. And I repeat it, that the name of "H. Niles," to the best of his recollection, (except in endorsement of checks payable to him), was never by him, or for his use, presented to the bank of the United States, or any of its offices, but in two instances. The first was for the purpose of remitting 100 dollars for the relief of the sufferers by the great

upright man, whether what I said of the bank *as it was*, in my opinion, should be retorted against me as applicable to the bank *as it is*, in my opinion. If such a proceeding is right, or *honest*,—Peter, the “prince of the apostles,” as he is called, should bear rank only with Judas Iscariot. But Peter wept and repented, and reformed—and suffered martyrdom in testimony of the doctrines of his Lord and Master, whom he had, in a season of weakness, three times denied, and just after professions of the most ardent attachment to him! And who shall stand in that great day of condemnation which the Christian public believes in, if repentance and reformation do not relieve the burthen of sin committed? And we are told that there is more rejoicing over one man that repenteth than over ninety and nine who needeth it not. And so it certainly should be, amongst men, else every motive to a reformation of the heart and conduct must expire.

I blame not those who sincerely believe, as I believed in 1818–19, that the bank of the United States has behaved improperly. They have an undoubted right to enjoy their belief and to act upon it; but the same right belongs also to me. Some charges are preferred against the bank, for which it is desirable that no foundation for a suspicion should have been laid—but considering the position in which the bank was placed, by the extraordinary war that was commenced against it, without cause, in the out-set, at least,—these things, if not to be justified, may be excused, *in its defence*; for it must be recollected that its very solvency was assailed, though its power to maintain itself is now the leading cause of vituperation against it! Does not this show that some grand “mistake” has been made?

Though no man expected that such a war as has prevailed against the bank could be waged,\* the ability of the bank to defend itself is conclusive evidence of the existence of a *power* in that institution which, in 1818–19, I spoke so freely of, and certainly feared; which power, though if admitted to be now exerted only for the noble purpose of preserving a wholesome and sound currency, *I would not agree to continue*; but, on the other hand, the power of the *executive against the bank*, should be also restrained. I shall not discuss these matters; but proceed to make some remarks as to a renewal of the charter, *on certain conditions*, and conclude—just taking leave to say, that my wish for the continuation of a national bank, is not quite the same thing as a continuation of the present charter to the national bank!

1. I prefer a renewal of the charter, to the establishment of a new bank, for the highly important reason, that the latter would open a new and vast field for new speculations (in which the public has no sort of interest, except in public suffering because of them), more pregnant in rascalities [I have written the word and will not blot it], than even were those *imputed* to the early managers of the present bank, and about which I was so anxious, at the time.

2. Whether the location of a renewed bank shall be at Philadelphia or New York, is of little moment to the people, at large; but a plan could be easily devised (as I think), by which all reasonable cause for local jealousies, or interferences with local concerns, might be relieved. There must, however, be only one head—for the general policy of the bank, to be wholesome, must be a steady one.

3. Reduce the capital of the bank to the 28 millions, as now held by the private stockholders—*forbid the bank to issue notes, or any thing in lieu thereof, of a less denomination than 10, 15 or even 20 dollars, and provide that the least denomination of notes shall be paid at any, or either, of the offices, in specie, on demand; and that all other notes shall be received in settlements with banks, as was provided for in the vetoed bill of 1832.* Thus the burthen of preserving a sound and equal currency would be laid on the bank, while it would be protected in a considerable degree, as it ought, from unjust “runs” that otherwise might be made upon it, by malicious and irresponsible individuals—for, in this case, the state banks would have a deep interest in the national bank, and the business of the currency proceed, and be respected, as a mutual concern. The *people* could not suffer by this

\*For the government has a large pecuniary interest in the stock—without reference to other and vastly more important considerations.

arrangement, and the well managed state banks would be always safe under it—which is a matter of high consideration with every man. Impose on the bank all its duties, restraints and checks as provided in the present charter, and add others, if necessary; prohibit it from establishing new branches, without the consent of the states in which they are to be located, and provide means by which the states may discontinue branches under certain strictly guarded regulations, to prevent sudden embarrassments of the currency, and let the capital vested in the branches be subject to the state laws which levy taxes on the capital of their own banks, *on the same conditions*—but with these strong restraints, (the political iniquity of *selling* acts of incorporation being also regarded) let the recharter be made without demanding a bonus.

4. Vest the power concerning the deposits only in congress—the senate and house of representatives, without resort or reference to the president or secretary of the treasury, when congress is in session; in the recess, let the secretary have power to remove the public moneys only in cases of imminent danger of the insolvency of the bank, (indicated by *overt* acts) with the approbation of the chief justice of the United States, for the time being—that officer being, as much as is possible, removed from *political* impulses; which should never prevail in the consideration of a matter so delicate as the state of the currency.

5. But the state banks which issue notes of a less denomination than five dollars, shall not be entitled to press on the bank of the United States or any of its offices, as provided for in No. 3—and all receivers of public money should be forbidden to receive any of the notes of such banks, whether large or small, in the payment of debts due the United States.

6. To provide against the want of a general, convenient and equal currency, (for the state banks *cannot* furnish it), and to make a further and wholesome advance in the use of coin, and check the shaving of state bank notes without the range of their own approved circulation, let the value of gold, in weight or fineness, be reduced one or two per cent. below that of silver, as such value is generally measured in our exchanges with Great Britain and France, that we may have a free circulation of gold coins—eagles, halves and quarters, made out of our own gold. At the general rate of exchanges, our eagles are worth \$10 30 to \$10 50 in dollars, and they “flee away;” but make them worth \$9 80, and they, and their parts, will remain with us, and the amount allowed for seignorage could not furnish any just cause for complaint, inasmuch as bank notes or silver might still be used, if persons preferred the risk, expense, and labor or loss, of making disbursements with them.

Such are the “checks and balances” that I would propose to restrain the power of the bank of the United States, (and of the state banks, also), to do wrong, and render both more useful and safe than they are. It is no argument in favor of the present power of the bank of the U. States that it has not abused it, as most business men believe that it has not, since its reformation; but it *has* power, in its ability to regulate the “circulation of values,” as stated in the last REGISTER, to assess, as it were, the money-value of every man’s field or house, *which power has been exerted by the president of the U. States in removing the deposits, and I would not grant it to either; for the reason that it may be abused, and is not at all necessary to the public good.*

Such is a free outline of my views. Perhaps, they will not please either party to the present controversy, but I think them sound—and, so thinking, present them. It is my opinion, that the provisions suggested would check the power of the bank, without affecting either its usefulness or the profit of its stockholders. The character of its business might be considerably changed, in some places—inland bills taking the place of domestic notes, and for which a national bank is most needed; and the *tariff* on them would be continually regulated by the good state banks, so far as they should be capable of sustaining a uniform currency. But I cannot go into further details. The article is too long already.

\*There is some difficulty in this reference, for the reason that the matter might come into court—but confidence may be safely reposed in the rest of the bench of judges—should it ever so happen.

In speaking above of the currency being a "delicate and profound" subject, I am well aware that some may ask, why I have meddled with it? But the attitude in which I am seemingly placed, whether in relation to past or present things, in relation to the bank, appeared to require such an adventure on my part. In the existing state of parties, I think that a spirit of accommodation ought to prevail. **THE NATION STANDS ON THE VERY BRINK OF A HORRIBLE PRECIPICE.**

The preceding remarks are not offered in the way of an apology. What I said and did in 1818-19, I would say and do again, under the same impressions of duty—the same offences against the "common welfare," and to relieve the people of a "rag currency" or "rag barons," of all sorts and sizes, from the bank of the United States, to the travelling or "saddle bags bank" of Parkersburg\* or equally famous bank of "Owl Creek."

Very respectfully, H. NILES.

Baltimore, March 3, 1834.

**AWFUL DISASTER.** The splendid steamboat, *William Penn*, capt. Jefferies, of the Baltimore and Philadelphia Citizens Union Line, when off Gloucester Point House, about three miles below Philadelphia, on her regular trip from New Castle, was discovered to be on fire in the afternoon of the 4th inst. in or near the wheel house. There were from 150 to 200 persons on board, and, as the flames spread with almost inconceivable rapidity, from the lightness of the wood used in her upper deck, &c. the scene that followed may be imagined, but cannot be described. Capt. Jefferies, on this trying occasion, appears to have behaved with great energy and thoughtfulness. He ordered the boat run a-shore, *side on*, but it seems that the helmsman, in the confusion, run her stem on—thus placing the bow in the mid while the stern was yet in deep water, and the "wall of fire," in the middle of the boat, separated the passengers, and seems chiefly to have caused the loss of life that followed, as well as much increased the difficulty of escaping even from the bow, for the passengers, after letting themselves down, or jumping overboard, had to wade through deep water and soft mud nearly 200 feet, before they reached the firm ground, and two or three are supposed to have been drowned by jumping off the stern. Being in the neighborhood of the city, very prompt and generous assistance was rendered, whereby the amount of suffering was much alleviated—but those who escaped were in a wretched plight from wading to shore.

As we suppose that a particular statement of this melancholy affair will be published, we shall not now attempt a gathering of the facts given in the Philadelphia papers. It is only certainly known that five persons were lost—among them the rev. Mr. Moore, of Lewistown, Del. col Porter, of Philadelphia, and a female unknown, by drowning, and Walter M. Bulkeley, a respectable merchant of Hartford, Con. because of wounds and exposure, being in bad health; what became of the other is not stated. A great deal of the baggage was thrown overboard and saved, and the chief of the mails. But the Baltimore bag, which contained also the letters received by the great western mails, was no doubt, as we think, consumed, for it could not be found; and a mail lock and chain were discovered, partially melted by the fire, on searching the ruins of the boat. Other mails may have shared the same fate.

Soon after the *William Penn* struck the bottom, she was in one tremendous sheet of flame—but at half past 6 o'clock, floated off with the tide, and went up the river, still burning, until she grounded on the island opposite the city, where she burnt down to the water's-edge.

Besides the loss of life, several were very badly wounded. Mr. Bulkeley had \$900 in his stock, which were saved. There were about 12 women, with several children on board—all the latter saved, two of the former lost.

The mayor of Philadelphia, and others, made great exertions to relieve the sufferings, and afford such comfort to the passengers as their several cases required.

\*If I have wrongfully located this bank, I beg pardon of the good people of Parkersburg—and it may be that I have, for it is several years since that I lit a *segar* with one of its ten dollar notes! But there was a "bank" whose notes were carried about the country in *saddle bags*, to be exchanged with lenders and others for their notes!

The boat was worth 70 or 80,000 dollars—and some very valuable effects are supposed to have been lost, besides the mails. One lot of jewelry, worth \$15,000, is mentioned.

*Philadelphia post office, March 5, 1834, 7 o'clock.*

Three bags, containing newspapers and pamphlets, were received on the evening of the 4th, from on board the *William Penn*—one of them partly burnt, some of the packages missing, and a portion of the remainder so wetted and defaced, as to render further transportation useless. One package, marked "Massachusetts state," taken from the Washington city letter mail, the only one saved, and containing letters for parts of New Hampshire, and Massachusetts, was detained, the letters being too damp to be forwarded.

A number of bags, containing newspapers and pamphlets, are missing, some it is supposed were burnt, and others thrown overboard and lost.

Persons finding any loose packages, and detaining or embazzelling them, will be prosecuted under the act of congress, and become liable to fine and imprisonment. If returned immediately to the office, a suitable reward will be given.

Further search has led to the conclusion that two large portmanteaus, containing the letters from Baltimore city and the west—embracing, as is supposed, Cincinnati, and Ohio state; (south) Illinois, Indiana, Kentucky, west Tennessee, Western Shore of Maryland, and Washington, Brownsville, Union Town and New Geneva, Pa. and for distribution, have been entirely consumed. Their locks and chains, partly melted, were found in the wreck of the boat, on the falling of the tide, by Mr. Mc Cahen, chief carrier, and the proprietors of the hotel at Kaign's Point. Messrs. Taber and Potter, after a diligent search on the flats, at low water, were unable to discover any of the lost mails. It is impossible to tell the extent of the loss occasioned by the destruction of the portmanteaus.

JAMES PAGE, P. M.

*Baltimore post office—8 P. M. 6th March, 1834.*

It would appear by a letter just received by me from Col. Page, postmaster of Philadelphia, that all letter mails made up at this office for Philadelphia and for cities east of that office, have been destroyed or lost. The same portmanteau conveyed the letter mail from the west for cities east of this. The letter from the postmaster of Philadelphia, with any other particulars which may be received, will be sent to the Exchange rooms, for the information of merchants and others. J. S. SKINNER, P. M.

#### FOREIGN NEWS.

*From London papers to the 27th and Havre to the 30th Jan. both inclusive.*

##### GREAT BRITAIN.

The king was to open the approaching session of parliament in person. Much speculation exists in the money market in England, as to the probable effect of the crisis in the United States, brought on by the controversy between our government and the United States bank. The general impression was that large importations of specie from that country to this will be rendered necessary to sustain credit here, and that this will produce an influence on the exchanges in England.

##### SPAIN.

A conspiracy against the life of the queen and her regent mother, had been discovered, and several distinguished persons arrested. The change in the ministry is confirmed, the liberal party having succeeded in obtaining power. The consequence was that the government had issued ordinances for the immediate convocation of the *cortes*. Don Carlos was still in Portugal. Gen. Llander, who sent so strong a remonstrance to the queen, has issued a proclamation, in which he states that all his hopes have been realized by the late political changes at Madrid.

##### PORTUGAL.

Gen. Saldanha with a body of Don Pedro's army had captured the town of Leira; the entire garrison, comprising 1,476 men 46 cavalry, with the exception of three officers and six cavalry fell into his hands. Don Pedro's forces had also gained an advantage at Marvao, and it was supposed that the Miguelites could not hold out much longer.

##### FRANCE.

Rumors were rife of the expected resignation of ministers. There had been a difficulty between the committee of the chambers and the minister of war, with respect to the estimates for the army, which, on conference, had been adjusted. The French ship of the line, *La Superbe*, had been lost in the Levant. The same letter which announces this fact, also states that the frigate *United States*, commodore Patterson, lost some of her masts, had her sails torn away and her boats carried off, and after be-

ing nearly embayed off the coast of Andros, had been so fortunate as to gain the harbor of Milo. The papers contain the notes which passed between the French minister J. de Lagrene and the Russian minister, Nesselrode, relative to the treaty between the latter power and the porte. The French minister is instructed to declare, that if the stipulations of this act should lead to an armed intervention of Russia in the internal affairs of Turkey, the French government will consider itself at liberty to act as may be suggested by circumstances. The reply of the Russian minister denies the right of a third party to interfere between two independent nations in their treaty arrangements, and that, acting on this principle, the emperor will fulfil all his obligations towards Turkey.

### TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

February 28. Among other morning business attended to, many resolutions that had been laid on the table were taken up and agreed to.

The resolution offered yesterday by Mr. Poindexter was then taken up, and discussed for nearly three hours, in which Messrs. Poindexter, Forsyth, King, Grundy, Clay, Black, Moore, Mangum and White, participated.

The resolution was agreed to. [The discussion was very warm and personal, between Messrs. Poindexter and Forsyth, because of impeachments of the facts suggested by the former—which led to an apprehension that they must result in a personal rencontre. But by the interference of distinguished friends of both parties, the difference was satisfactorily adjusted—as it should have been.]

Many bills were taken up and considered, and referred or passed. After which the senate went into the consideration of executive business, and when the doors were opened, adjourned until Monday.

March 3. Mr. Clayton presented the draught of a memorial, signed by one thousand six hundred and fifty citizens of the county of Newcastle, in the state of Delaware, praying the restoration of the public deposits, to the bank of the United States, and the permanent establishment of a sound and uniform currency. After stating the contents of the memorial, Mr. C. observed, that it had been delivered to him by a delegation composed of gentlemen of the first respectability, appointed at a meeting of the citizens of that county, held at the city of Wilmington, on the 22d ult. and represented to be the largest assemblage at that place within the recollection of those who attended it.

The memorial, said Mr. C. is signed by a majority of all the legal voters of the only county in the state which has ever expressed an opinion, by a plurality of votes at any election, in favor of the present chief magistrate of the United States. Men of all parties, of all trades and professions, of all the grades of life, whether rich or poor, farmers, manufacturers, merchants, mechanics and laborers, have concurred in the expression of that sentiment which is now pervading all the ranks and classes of men in other sections of the union, that the appropriate remedy for the distresses of the country is the restoration of the public treasure to the public agent, primarily appointed by congress to receive it.

Mr. C. proceeded to speak at considerable length on the character of the petition and state of things in Delaware. He first spoke of the farmers, who had sustained a loss in the price of corn of 25 cents a bushel—at the time of the removal of the deposits it was 70 cents, and expected to increase, it is now 45 cents, and dull, and declining. He next referred to the manufacturers, and said many were compelled to receive due bills, called "Jackson money," payable four or five months after date, which they had to get "shaved"—the employer having no other alternative but this from the necessity of turning his workmen out of doors. He also stated the following significant facts:

"The mechanics and merchants, too, have participated fully in the difficulties which embarrass the farmer and manufacturer. The effect is felt of course with most severity by those to whom they have heretofore given employment. To illustrate the real state of things existing among the poor, I will mention a single fact which has been related to me by a friend. In the city [Wilmington] where this memorial originated, there is, as in other large towns throughout the country, a savings' bank, in which the wages of labor have been deposited. Last year at this season the deposits for a month were about \$1,200, the amount withdrawn about \$400. In the corresponding month of the present year the deposits have been about \$400, and the amount withdrawn \$3,700. Is the inference fair, that the poor are now living on their former earnings, and that the laborer wants employment?"

He further observed—"No, sir, the hope of the petitioners rests not on such as these, 'regiments of office holders,' &c. which he had just described) but on congress, and on congress alone. They present themselves here, neither as stockholders nor as debtors of the bank of the United States; as men in no manner connected with the institution, or subject to its control. They tell you in their memorial, that there is in their state no branch of the bank of the United States, and that the curtailments which their own state banks have been compelled to resort to, were not caused by any pressure of the bank of the U. States upon them, but by the general distrust which the unexpected removal of the public moneys from an institution where they were advantageously employed, has created in all the state banks, and among the whole commercial community.

Fully convinced that this is the cause of their embarrassments, they earnestly pray that the deposits may be restored; and, without soliciting a recharter of the present bank, or venturing to point out any other course, they ask from congress, in general but expressive language, the adoption of some measure for the permanent establishment of a sound currency.

[Mr. C. pursued the subject much further, with his usual ability, but we cannot follow him]. The memorial was referred.

Mr. Poindexter rose for the purpose of redeeming the pledge which he had given to institute an inquiry into the alleged frauds in the sales of the public lands; and having made a few strong remarks on the matter generally, he submitted the following resolutions:

1. Resolved, That the committee on the public lands be instructed to inquire into the circumstances attending the recent sales of the public lands in the state of Mississippi and Alabama; and whether the proclamations of the president of the United States, causing the public lands in the districts of country acquired from the Choctaw tribe of Indians by the treaty of Dancing Rabbit creek, and from the Creek tribe of Indians in Alabama, to be offered at public sale, were issued and promulgated a reasonable length of time prior to the day on which said sales were directed to be commenced in each of said districts, to give proper notice to the people of the United States of the days appointed for said sales.

2. Resolved, That the same committee inquire whether any fraudulent practices, to the injury of the public interests, took place at said sales by reasons of combinations of companies or individuals, interdicting or unfavorable to a fair competition between bidders for the public lands offered for sale in said districts; and, if so, whether the officers superintending said sales had knowledge of, or participated in, such fraudulent practices or combinations.

3. Resolved, That the said committee be instructed to inquire whether the registers of the land offices and the receivers of public moneys at any of the land offices of the United States, or either of them, have, in violation of law and of their official duties, demanded or accepted a bonus or premium from any purchaser or purchasers of the public lands, at public or private sale, for the benefit of such officer or officers, as a condition on which such purchaser or purchasers should be allowed to enter or purchase any tract or tracts of land offered for sale by the United States; and also, whether any register or receiver as aforesaid has been guilty of fraud or partiality in the sales of the public lands, by adopting rules and regulations, in their respective offices, inconsistent with the laws of the United States.

4. Resolved, That the said committee inquire whether the public lands, at any land office in the state of Mississippi, have been sold otherwise than for cash; and whether any register or receiver in said state has, at any time, taken in payment the promissory note of any purchaser or purchasers, bearing an interest to accrue to the benefit of such register or receiver.

5. Resolved, That, in prosecution of said inquiries, the said committee have power to send for persons and papers, and to examine witnesses before them on oath, touching the matters aforesaid.

Mr. Poindexter also offered the following:

1. Resolved, That the secretary of the war department be directed to communicate to the senate, the name or names of the agent or agents appointed by the president of the United States to locate the reservations granted to individuals of the Choctaw tribe of Indians, by the treaty of Dancing Rabbit creek; and also, copies of such instructions as may have been given to the agent or agents so appointed; and of any correspondence which may have taken place between any officer in the department of war and said agent or agents, or any other person or persons, whose correspondence may be in the department, touching the location of said reservations, and the manner in which the duties of said agent or agents may have been performed.

2. Resolved, That the said secretary be directed to transmit to the senate, a copy of the register of the names of such Choctaw Indians, as claim reservations of lands, under the 14th and 19th articles of said treaty.

Mr. Grundy expressed his satisfaction that this movement had been made. If any thing wrong had been done, he would be glad to see it exposed. His object in rising, was to ask for the printing of the resolutions, in order that he might be able to ascertain whether it might not be necessary to give some further instruction in the committee.

The resolutions calling for information, were then considered and adopted.

The other resolutions were ordered to be printed.

Mr. McKean presented the proceedings of a meeting of "the friends of the constitution and laws," comprising the farmers, manufacturers and mechanics, laborers in wood, citizens of the townships of Oxford, Lower Dublin, Eyberry, Moreland, and unincorporated Northern Liberties of the county of Philadelphia, condemning, in strong and emphatic language, the conduct of the president of the United States, in reference to the removal of the public deposits from the United States' bank, as an act *unwise, illegal, vindictive, unnecessary and unjust.* They suggest various expedients for redress, and intimate the propriety of congress withholding appropriations and supplies for certain portions of the public service, until the executive shall yield his assent to other measures necessary for the public welfare.

Mr. McKean also presented the proceedings of an union meeting (of all political parties) of the city and county of Lancaster

opposed to the removal of the deposits, and in favor of rechartering the United States' bank.

Mr. McKean further presented the proceedings of a meeting of citizens of the township of Roxborough and town of Main-Yunk, in the county of Philadelphia, in favor of restoring the deposits and rechartering the United States' bank; which were read, referred to the committee of finance and ordered to be printed.

The chair having called the special order, &c. Mr. Chambers moved that it might be postponed for the purpose of taking up the French apolition bill. Mr. Clay objected, and hoped that the subject under discussion would not be postponed—he wished it closed, and thought a few days would suffice for that purpose. After some further remarks, Mr. Hill rose and made some observations in favor of the report of the secretary on removing the deposits; and the senate adjourned, (at 4 o'clock) before he had concluded.

March 4. The chair communicated the proceedings of, and resolutions adopted at, a town meeting in Philadelphia, of a large number of its citizens, who describe themselves friendly to the administration, and opposed to the United States bank; but remonstrating against the removal of the public deposits; as impolitic, unjust, and in violation of the public faith; and ascribing the pecuniary embarrassments of the country to that measure.

Mr. McKean moved that it should be referred and printed; but before the question was taken, Mr. Clay made a few, but forcible remarks on the current of public opinion, &c. and concluded with asking—"Would any one say, after what we have witnessed—ruinous scenes of distress, worse than the devastations of an invading army—that we can get on without a national bank? No, after years of suffering, gentlemen would get up and say, that their experiment had not been worked out, and they would propose a bank in a certain street and in a certain city he had before named; and if the statute of limitation, to which he had alluded, as to political opinions, should not be rescinded, such a proposition would no doubt be supported by gentlemen now opposed to a bank. He had made these few observations because the memorial, coming from the source it did, was about to be referred without one single remark, without one single remark, without one word expressive of satisfaction from the friends of the administration."

Mr. McKean spoke of the signers of the petition as gentlemen of the highest respectability, &c. Mr. Grundy then made a few remarks, shewing his preference for Philadelphia, as the seat of the national bank, if such an institution shall be continued. The petition was then referred, &c.

When the chair presented the proceedings of the people of Chester county, Pa. as noticed in the proceedings of the other house—

Mr. McKean said, that, while he did not doubt the existence of pecuniary embarrassments and distress in the country; on the contrary, believing it to exist to some extent—he did not feel himself compelled to express his entire satisfaction in all the sentiments expressed by his friend, from Kentucky. The subject matter of the memorials had been well described by the gentleman, and the senate had, no doubt, been better entertained by hearing them read, than by any remarks he could make. He moved that the memorials be referred to the committee on finance and printed; which motion was carried.

The chair communicated a report from the secretary of the treasury, transmitting the information called for by the resolution of the 28th ult. on the subject of the transfer of public deposits from the Planters' bank at Natchez.

Also, a report from the same department, made in compliance with the resolution of the 28th ult. enclosing copies of statements of the affairs of the bank of the United States from August, 1833, to February, 1834, inclusive.

Also, a report from the postmaster general, made in compliance with the resolution of the 19th of December last.

All of which, without reading, were laid on the table, and ordered to be printed.

Mr. Poindexter, from the select committee, to whom the subject was referred, made a report on the subject of the election of the hon. A. Robbins, and the memorial of the hon. E. R. Potter.

[The report gives the right of the seat to Mr. Robbins. Mr. Wright, on the part of the minority, said he should present a counter report, when he could obtain possession of the papers, &c. After considerable debate on the order of proceeding, the report was ordered to be printed. It is very long, and occupied about an hour in the reading.]

After some other business, Mr. Hill continued and concluded his remarks, and then the senate, after spending some time in executive business, adjourned.

March 5. Mr. Preston presented the credentials of Benjamin Watkins Leigh, elected a senator by the legislature of the state of Virginia, to supply the vacancy occasioned by the resignation of hon. William C. Rives. Mr. Leigh was qualified and took his seat.

After some other proceedings, the senate proceeded to consider the resolutions moved by Mr. Poindexter on Monday last, which after several verbal amendments were severally adopted.

Mr. Morris moved to adopt the following as a sixth resolution, but subsequently withdrew his motion:

Resolved, That the committee, before they proceed to inquire into the conduct of any register or receiver of the public moneys

at any land office in the United States, make out a specification of charges and facts which the committee believe to be true, and into which they shall be of opinion an inquiry ought to be made; that they transmit a copy of the same to such register or receiver, who shall have the privilege to produce before the committee such testimony in his favor as he shall think proper. The senate then adjourned.

March 6. Many petitions were presented this day, and one by Mr. Wright, from 316 respectable citizens of Buffalo, praying for a restoration of the deposits.

The senate attended to a good deal of local and private business this day, and spent some time in secret session.

#### HOUSE OF REPRESENTATIVES.

Friday, Feb. 28. This day is given up to the consideration of private business—but among the morning proceedings—

Mr. Hall, of North Carolina, offered the following resolution: Resolved, That the committee of ways and means be instructed to inquire into the expediency of reporting a plan, accompanied by a bill, to reduce the revenue to the necessary expenses of the government.

Mr. Stewart moved the question of consideration.

Mr. McDuffie requested Mr. S. to withdraw his motion; but he declined doing so.

Mr. Comer then demanded the yeas and nays upon the preliminary question of consideration; which were ordered and taken, as follows:

For the consideration 69—against it 115. [And so the consideration was refused, on the motion of Mr. Stewart, which voted with the majority—his object being to put the matter at rest.]

Other things being attended to, the house proceeded to the order of the day, and ordered a number of private bills to a third reading, &c. that for the relief of Mrs. Decatur remaining as it was, after considerable discussion. Adjourned until Monday.

Monday, March 3. This being petition-day, as soon as the journal was read—

Mr. Heister of Pennsylvania, rose and said, I have had transmitted to me, for presentation to this house, the proceedings of a meeting held on the 23d ult. in the city of Lancaster, Pennsylvania. On the authority of a number of gentlemen of the first respectability, I take occasion to state, that it was a meeting as numerous attended as any ever held in that populous and highly favored agricultural county; that it was principally composed of the *bone and sinew*, of the *yeomanry* and business men of the country; and it may be proper to state, further, that the meeting was, as it purports to have been, a "union meeting," composed of a very respectable proportion of the *original*, and many of the continued friends of the present chief magistrate, down to the time of his unfortunate interference with, and direction of, and removal of the public deposits, which, in one of the resolutions, is so justly characterized "as an act in itself unwise, the effect not having been duly considered, not called for by the exigency of the times, adverse to the real interests of the county, and derogatory to the national character of the United States."

On this all important and interesting subject, I have not, for one moment, doubted what course, not only the interests of my immediate constituents, but the great interests of the whole country, required me, as an humble member of this honorable body, to pursue; and it is no small gratification to me to be so strongly and creditably sustained in what I had conscientiously conceived to be my duty.

Mr. H. made many other remarks, against the "experiment" that was now going on, &c. and stated that the memorials now presented by him were signed by 2,840 citizens of Lancaster county, praying for a restoration of the deposits and a recharter of the bank.

Many petitions praying for a restoration of the deposits, &c. were also presented.

By Mr. Polts, from the people of Chester county, Pa. The number of the names is not given, but Mr. P. said that in some of the townships, they had been signed by every voter, four or five persons excepted, and without regard to party.

By the speaker, from citizens of Philadelphia friendly to the administration, but opposed to the removal of the deposits.

By Mr. Wagener, from 250 citizens of Northampton co. Pa.

By Mr. Binney, from 1,700 citizens of the same county;

By Mr. Harper, from the — bank, Philadelphia;

By Mr. Sutherland, from a great meeting at Roxbury, Pa.

By Mr. Denny, from the bank of Pittsburg;

By the same from the borough of Alleghany;

By Mr. King, from Schuylkill co. Pa.

By Mr. Wabnough, two memorials from the third congressional district (his own) of Pennsylvania—one from the mechanics and working men of the Northern Liberties, the other from the farmers, manufacturers, &c. of several townships in Philadelphia county, &c.

By Mr. Milham, from New Castle county, Delaware, signed by nearly 1,700 citizens, a majority of all the voters in the county.

Mr. Gordon presented the resolutions of the legislature of Virginia.

Petitions against a restoration of the deposits were presented by Mr. King, from Schuylkill co. Pa.

By Mr. Sutherland, signed by 4,000 working men of the 3d congressional district of Pennsylvania.

By Mr. McKim, from 3,624 persons of Baltimore. [On most of the presentations of petitions some remarks were offered—

cannot give them at length, unless they were very brief, but shall take a rapid view of the most material things which happened this day.]

Mr. Potts spoke at considerable length of the force and unanimity of the resolutions, &c. adopted in Chester county, by persons of all parties, &c. and said that the time had come when freemen must prove their title to that name, or lose it forever.

Mr. Sutherland as well as Mr. Harper, spoke decidedly in favor of the character of those friends of the administration, in Philadelphia, who petitioned for a restoration of the deposits.

When Mr. Sutherland presented the petition signed by "4,000 working men" of the 3d congressional district of Pennsylvania. Mr. Walmough, (whose district it is) expressed much surprise—seeing that he held other memorials of an opposite nature, &c. It was ordered that the names should be printed with the memorial.

Mr. Milligan on presenting the petition from New Castle county, spoke highly of the signers and of the committee charged with its delivery at Washington, and entered warmly, and at much length, into the general merits of the subject.

Mr. McKim said—I am requested to present two memorials, signed by 3,624 citizens of Baltimore stating that they approve of the course of the administration in relation to the bank of the United States, and praying that the charter of said bank may not be renewed. I shall not, Mr. Speaker, trespass on the time of the house, by detailing the various trades and professions of the signers to this memorial; it is sufficient for my purpose to say, that they are American freemen, and as such, entitled to be heard, and to have equal weight and consideration, in proportion to their numbers, as to any memorial yet presented to this house.

Mr. Gordon when presenting the Virginia resolutions, very earnestly supported the principles stated in them, and warmly reprobated the seizure of the public purse by the president. Mr. Patton, in reply, defended the president, and warmly attacked the governor of Virginia because he had enclosed the resolutions in the following letter, in which he insisted that he (the governor) had travelled out of the line of his duty:

Virginia, executive department, Feb. 13, 1834.

Sir: In compliance with the request of the general assembly of the commonwealth, it gives me great pleasure to transmit to you the accompanying resolutions adopted by that body, disapproving of the recent act of the president, in withdrawing and withholding the public deposits from the bank where they had been placed by law.

This dangerous and alarming assumption of power has already inflicted deep and lasting injury upon the citizens of this commonwealth, which your efforts and exertions in the congress of the United States, it is hoped, will aid in alleviating as far as practicable, and restraining the disposition which the president has manifested to extend his official authority beyond its just and proper limits, which he has so clearly manifested in his recent interference with the treasury department of the federal government.

I am sir, with respectful consideration, your obedient servant,

JOHN FLOYD.

Tuesday, March 4. Mr. Polk, from the committee of ways and means, to which had been referred the letter of the secretary of the treasury, giving his reasons for withdrawing the public deposits from the bank of the United States; the memorial of the bank, and various other papers on the same general subject, made a report: He moved that it be printed, and its consideration postponed to tomorrow week.

Mr. Clay called for the reading of the report.

Mr. McDuffie objected.

The chair decided that it was the right of a member to have any paper read when first presented to the house.

Mr. McDuffie moved that the reading be dispensed with.

The chair pronounced that motion out of order; as the reading was of right.

Mr. Hardin remonstrated against the unnecessary consumption of time in reading a long report, and probably a counter report, both of which would be immediately printed.

Mr. Clay said that he wished the reading, because he meant to follow it by a motion for printing an extra number of copies of the report.

Mr. Hardin said he would vote for the extra number without the reading.

The chair stated, at length, why he had decided that the reading was of right, when called for, and then said

The report must therefore be read, if desired by the member from Alabama.

The house acquiesced in the decision of the speaker, and the paper was ordered to be read.

The reading of the report was then commenced, and had proceeded some time; when

Mr. Clay stating it to be his understanding that no objection would be made to the printing of an extra number of the report, withdrew his call for the reading; and it was thereupon suspended; but, at the request of a member, the resolutions with which the report closed were read, as follows:

1. Resolved, That the bank of the United States ought not to be rechartered.

2. Resolved, That the public deposits ought not to be restored to the bank of the United States.

3. Resolved, That the state banks ought to be continued as the places of deposits of the public money, and that it is expedient for congress to make further provision by law, prescribing

the mode of selection, the securities to be taken, and the manner and terms on which they are to be employed.

4. Resolved, That, for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the U. States, in sundry memorials which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated; and, also, what corruptions and abuses have existed in its management; whether it has used its corporate power or money to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure; a select committee be appointed to inspect the books and examine into the proceedings of the said bank, who shall report whether the provisions of the charter have been violated or not; and, also, what abuses, corruptions or mal-practices have existed in the management of said bank; and that the said committee be authorised to send for persons and papers, and to summon and examine witnesses, on oath, and to examine into the affairs of the said bank and branches, and they are further authorised to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable.

Mr. McDuffie asked whether it would be in order, at this time, to move an amendment to these resolutions.

The chair replied in the negative, as the question before the house was on the postponement.

Mr. McDuffie then requested Mr. Polk to withdraw his motion; but he declined.

Mr. Wilde inquired whether it would be in order to move a reference of the report to a committee of the whole on the state of the union?

The chair replied that the question of postponement had precedence.

The question was put on the postponement and carried—and the report was ordered to be printed.

Mr. Binney presented to the house a report from the minority of the committee of ways and means on the same subject, and moved that it receive the same destination with the last paper; which was agreed to.

Mr. Clay moved that 10,000 extra copies of both reports be printed.

Mr. Hawes moved, as an amendment, that there be 50,000; but it was negatived.

Mr. Reed then moved 20,000; but this was also negatived.

Mr. Hall, of Maine, moved 15,000.

Mr. Evans, of Indiana, opposed the printing of so great a number of a report calculated, as this is, to extend the existing panic, by tending to create a wrong belief, that no adequate substitute for the existing United States' bank can be created. He contended that the people would not, as they consulted their own and the general good, place reliance upon a local currency that would eventually operate as a severe tax upon the industry of the country. He thought that the committee should have shown and recommended a suitable and proper substitute for the general good, when it is determined the existing corporation bank shall cease. He would oppose the printing of so many thousands of a report that could not fail to extend the existing want of confidence, and consequently increase the existing embarrassment of the country. He would return it with instructions to the committee, or lay it upon the table.

[The speaker here informed the member from Indiana that it was not in order to debate the merits of the question.]

The motion for printing 15,000 copies was agreed to.

Mr. Wilde wished to move that an amendment be printed, which he desired to offer when the subject came up, (the same in substance as the second resolution of Mr. Clay's motion in the senate, viz: that the reasons of the secretary of the treasury for the removal of the public deposits are unsatisfactory and insufficient), but the house refused to suspend the rule in order to receive Mr. Wilde's motion.

After some other business the house adjourned.

Wednesday, March 5. Levi Lincoln, member elect from Massachusetts, vice John Davis, resigned, appeared, was sworn and took his seat.

On motion of Mr. Vance, the rule of the house was suspended in order to resume the calling of petitions suspended on Monday last.

Memorials in favor of the restoration of the deposits were presented as follows:

From Wheeling, Virginia, signed by 500 citizens—from Fayetteville, North Carolina—from Norfolk, Virginia—from Augusta Georgia, signed by 400 persons—from Salem, Kentucky—from Union, Boone county, Kentucky—two from Louisville, Kentucky; signed by upwards of 1,000 inhabitants—from Madison, Indiana—from New Bedford, Massachusetts, signed by 1,920 persons—from Burlington, Vermont.

Mr. Conner, of North Carolina, presented the proceedings of a meeting in Cabarrus county, North Carolina, of the same tenor as the above memorials.

Memorials approving of the removal of the deposits were presented as follows:

From Zanesville and Norwich, Ohio—from Cbatouque county, New York, signed by 570 inhabitants.



Mr. Pope presented a petition in relation to the Louisville and Portland canal.

Mr. Foster presented certain resolutions of the state of Georgia in relation to the public lands.

Mr. Ellsworth presented a number of memorials on the subject of slavery in the District of Columbia. The house then adjourned.

Thursday, March 6. Mr. J. Q. Adams asked leave to offer a resolution, which being objected to, the rule was suspended by the house, and the resolution was offered, as follows:

Resolved, That the secretary of the treasury be directed to report to this house a statement of all the sums denominated in the treasury accounts *unavailable funds*; specifically designating the several banks, or individuals, indebted to the treasury therefor; the time when each debt first became due; the time when failure of payment thereof first occurred; the security, if any, which the public have for payment thereof at any time, and the prospect of such eventual payment.

This resolve, according to the rules of the house, lies on the table for one day.

The commutation pension bill was discussed—but nothing important transacted this day.

MR. HEATH'S SPEECH

IN THE HOUSE OF REPRESENTATIVES.

Mr. Heath, in presenting a memorial, from a numerous body of citizens in Baltimore, condemning the removal of the public deposits, said, he should avail himself of the opportunity of addressing a few remarks to the house on this subject.

First, with regard to the memorial which had been entrusted to his care, it was signed by upwards of three thousand individuals of all classes and without distinction of party. It included the whole of the commercial, trading and manufacturing interests of that portion of the community which he had the honor to represent. Among other names of high respectability, were to be found several of the directors of the Union bank of Maryland, a bank which had been selected by the administration as a place of deposit for the public moneys—together with the presidents, cashiers and directors of several other banks in Baltimore. The memorial in fact, contained scarcely a single name that was not well known for integrity and moral worth. He would confidently appeal to his honorable colleague (Mr. McKim) who, he was sure, would at all times be found ready to testify to the high standing, intelligence, enterprise and talents of the citizens of the district which he, (Mr. H.) had the honor to represent. He said it with pride, and yet with confidence, that there was no city in this great union, possessed men more ardent for their country's welfare, more able to sustain her glory and honor, or more free from the trammels of party prejudice, than the city of Baltimore. In commercial enterprise and in the rigid fulfilment of engagements, her citizens yielded to none, and it was a memorial signed by such men, he now presented to the house.

He was well aware of the nature of the oath taken by him as a member of that house, and he was not the less aware that neither that oath, nor the constitution of his country, which he had so solemnly sworn to maintain, recognized any party feeling or party prejudice. But he could not help expressing his astonishment and regret to observe that too many honorable gentlemen who had addressed the house upon this vital question, had manifested a warmth of party feeling little consistent with the character of the deliberative representation of the people. In saying thus much, he wished not to be understood as meaning to reflect personally, upon the line of conduct, any other member might have deemed it his duty to pursue. For himself, he could solemnly and conscientiously aver, that when he first entered the door of that hall, he entered it divested of the remotest principle of party feeling or party prejudice. He entered it as an American freeman, to exercise the right bestowed upon a free representative of a free and enlightened people, resolved to act for his country and his country only. It was these views and these feelings that should alone bias the course he intended to adopt.

It has been said upon that floor that the bank of the United States had been guilty of a violation of its charter. If so, the law had provided an ample remedy, and he thought that remedy should have been first applied. He would not that the writ of *scire facias* should have been withheld one hour after the delinquency had been proved. We have been told that the bank had made use of their funds for electioneering and other illegal purposes. It might be so, but he would ask, was not the same to be apprehended from the state banks? Had they not the same means, the same ability, the same end to answer, and what proof was there that they would be more immaculate than this chartered institution? He called upon every member of that house to divest himself of party feeling—he called upon them in the name of their constituents and of their country to do so, and he would ask, if they could lay their hands upon their hearts in the presence of their God, and reconcile it to their conscience in considering a question of this important character upon party principles? Had the guilt of the bank been established? Were all the charges brought against that institution made out? He had not seen them. The public, however, did know something about the conduct of the bank, and he would briefly enumerate what that was.

The bank had acted as the faithful agent of the government for a period of seventeen years, during which time it had paid

to that government from six to seven per cent. annually. It had disbursed all the draughts made upon it by government, and distributed the deposits of the public money free of charge and free of risk throughout every state and territory of the union. Nor had the country been a loser to the amount of one solitary cent in any of these great transactions. These were facts known to the world, and in the face of them he would ask, if it were good policy to withdraw the funds from an institution like this, and scatter them over the country, scarce any one knew where? To take them out of vaults over which the government had complete control, and place them where it had none. To remove them from a bank in which they appointed directors of their own, and deposit them in others, in not one of which they had the power of appointing a single director, or a prospect of receiving one cent of interest for the public money.

Of one thing the country had hitherto been assured, that whatever might have been the conduct of the United States' bank in regard to other matters, the public money was at least safe in its vaults, which was more than they could assure themselves of at this time. He greatly feared that it would be found in perhaps not a few of them, when the people called for their money, that more than one hole had existed through which the deposits had escaped, never more to be recovered. He should be happy if his fears were groundless, but from what he knew he could augur nothing better.

Mr. H. said he had been sent to that house not as a partisan, nor upon party feelings, but as a free and independent American citizen, who would never bend his neck to the collar nor to the yoke. He stood before that house with the proud consciousness of possessing a character that had never been known to swerve from duty. This was perhaps much to say, but he would appeal to those who had long known him, and there were some within the sound of his voice, for the truth of this declaration. It was the duty he owed his constituents and his country, that impelled him to the course he should pursue on this question. It was with pain that he found himself arrayed against the course of the present executive, for he would say that general Jackson had not a more ardent, zealous or sincere friend on this floor that he had been. The whole of (Mr. H.'s) public life would attest the truth of this. He had uniformly supported all his measures, and had the greatest confidence in his integrity. He would say more, he was still his friend and admirer, and happy should he be if he could add, he was still his advocate. His duty impelled him to an opposite course, and the period had not yet arrived in this country when an American citizen dared not differ from the president of the United States in any matter brought before congress or the public. He was not prepared to receive either the collar or the yoke. He could not help expressing his regret that such terms were drawn from him, but he would appeal to the partisans of the president of the United States on that floor, and ask them if instead of sending a message announcing the withdrawal of the deposits from the United States' bank, he had thought fit to send a message directing them to be restored, whether they would not have lifted their voices high and as loudly in favor of their return as they had done in support of their removal. He was firmly of opinion they would have done so.

The speaker called the honorable member to order. Remarks of that character, impugning the motives of members of the house, could not be allowed.

Mr. Heath hoped he should be excused if he had not confined himself within the strict rules of debate, since it was the first time he had ever addressed that honorable assembly. He admitted he was not yet conversant with the rules of order, as technically understood here; but he had been always taught to believe that TRUTH WAS IN ORDER WHENEVER IT WAS SPOKEN. He said he should not detain the house with any further observations, but would ask for the reading of the memorial.

The clerk read the memorial; and Mr. Heath moved that it be referred to the committee of ways and means and printed; which motion was agreed to.

RESIGNATION OF MR. RIVES.

Washington, February 22d, 1834.

To the hon. the speaker of the house of delegates.

SIR—I have the honor to enclose a communication to the general assembly of Virginia, which I pray you to have the goodness to lay before the house of delegates.

I avail myself, with great pleasure, of the occasion to offer you the assurances of the distinguished consideration with which I am your fellow citizen and most obedient servant.

W. C. RIVES.

Washington, 22d February, 1834.

To the speakers and members of both houses of the general assembly of Virginia.

I yesterday had the honor to receive the resolutions of the general assembly of Virginia, adopted on the 11th instant, in relation to the removal of the public deposits from the bank of the United States; and have considered them with all the respectful attention due to the high source from which they emanate, as well as to the unusual gravity of the matters which they concern. Under a deep sense of the obligation of the representative to conform to the wishes and opinions of his constituents; or otherwise, to surrender the trust committed to

him, (which is justly regarded as a fundamental principle of our institutions), I have anxiously sought the line of duty, which the occasion made it incumbent on me to pursue.

A full and unreserved execution of the opinions of the general assembly, if the circumstances of the case permitted it, is the alternative I should greatly have preferred, as more consonant, as well to my own feelings and inclinations, as to the deference entertained for the general assembly itself. Knowing no object more worthy the ambition of her sons than to represent in the congress of the United States the ancient and honorable commonwealth which has given me birth, and to whose favor I am indebted for whatever of consideration I may have acquired amongst my fellow citizens, I have earnestly wished to adopt that alternative, which would have me still, where it has been my pride to be employed—in her service. But the resolutions of the general assembly render this course, however gratifying it would be, impossible. Had those resolutions instructed me to vote for or against a *specific legislative act*, whatever different opinions I might have formed in my own imperfect judgment of the expediency of the measure, I should have felt no hesitation in executing the instruction, and giving the vote required. But, in the present instance, the instruction requires “the senators to use their *best exertions* to procure the adoption by congress of *proper measures* for restoring the public moneys to the bank of the United States,” &c. leaving it to be inferred from the prevailing spirit and tenor of the resolutions only, what measures might be deemed by the general assembly to be proper to that end.

The very general terms thus adopted by the legislature, have made it my duty carefully to examine the whole of the resolutions for the indications they furnish of its views in that respect. The 1st resolution, I find, declares, “the recent act of the president exerting a control, &c. to be a dangerous and alarming usurpation of power, by that officer, *which cannot be too strongly condemned.*” It would seem, therefore, that a declaration to that effect by congress was among the measures deemed proper by the general assembly, and in which the senators of Virginia were instructed to co-operate in order to effect a restoration of the public deposits to the bank of the U. States. This supposition is confirmed by the fact, that the only measures proposed, or likely to be proposed in the senate, with a view to that object, are two declaratory resolutions, moved by an honorable senator from Kentucky, the first of which contains the declaration of an unconstitutional and dangerous assumption of power by the president, in substantially the same language as that of the 1st resolution of the general assembly; and the other declares the reasons assigned by the secretary of the treasury, for the removal of the deposits, to be unsatisfactory and insufficient.

The last of these resolutions, together with the report of the secretary of the treasury, assigning his reasons for the removal of the deposits, had been referred to the committee of finance of the senate. That committee after a detailed examination of the reasons of the secretary, and pronouncing them successively to be irrelevant, insufficient and unfounded, conclude their report, not with a bill or joint resolution of the two houses, directing the restoration of the deposits, but simply with a recommendation that the senate adopt the declaratory resolution of the senator from Kentucky. The chairman of the committee, moreover, distinctly stated on the floor of the senate, that a mere declaration by congress of the insufficiency of the reasons assigned by the secretary of the treasury, was all that was deemed necessary to effect a restoration of the deposits, the act of the secretary on the subject being considered by the committee as *provisional* only. Similar views had also been intimated by the mover of the resolutions; and that such is now the settled plan of those in congress who advocate a restoration of the deposits, there is not in my mind, judging from the facts I have stated and other concurring circumstances, the slightest room for doubt.

The measures, then, and the only measures on which I should be called to carry into effect the instructions of the general assembly, are the two resolutions referred to and now depending before the senate. These resolutions contain nothing but *expressions of opinion*; the 1st, as already mentioned, declaring that the act of the president in dismissing one secretary, and appointing another, was, under the circumstances of the case, an unconstitutional and dangerous assumption of power; the 2d, that the reasons assigned by the secretary of the treasury, for the removal of the deposits, were insufficient and unsatisfactory. On both of these propositions, after the most careful and anxious reflection I was capable of bestowing on the subject, I had formed opposite opinions, which I had already expressed and maintained on the floor of the senate. On the other hand, it is now apparent, and not to be questioned, that the views expressed by the general assembly are in perfect concurrence with the resolutions of the senator from Kentucky pending before the senate. I am placed, therefore, by the instructions of the general assembly in this dilemma—either to vote for the resolutions of the senator from Kentucky, and thereby adopt as my own, opinions which I not only do not entertain, but which had already been repudiated by me in the most solemn form; or, by voting against them, to oppose the only measures likely to come before the senate for a restoration of the deposits, and thus appear in the attitude of disregarding and thwarting the declared wishes of the general assembly. The first branch of the alternative, the just and correct feelings of the general assembly, will, I am persuaded, at once put aside as entirely inadmissible,

while the latter is no less repelled on my part by a sense of duty, and an honorable fidelity in the discharge of the trust reposed in me.

The only course, then, left to me, recognizing as I do the fundamental obligations growing out of the relation of representative and constituent, and which constitute the vital principle of the republican system, is, by resigning the trust with which I have been heretofore honored by the confidence of the general assembly, to enable them to confer it on another, who can better carry their views and opinions into effect. I beg leave to repeat, that if I had been called on to vote for a specific *legislative act*, however it might have been my misfortune to differ in opinion from the general assembly as to the expediency of the act, I should have felt it my duty to give the vote required. But, as under the circumstances in which I am placed, the views of the general assembly can be carried into effect only by my concurring in the declaration of opinions which; as already remarked, I not only do not entertain, but the opposite of which I have earnestly asserted and maintained. I do not deceive myself, I trust, in supposing that there is no principle of obligation or propriety on which I could be expected or required to do an act involving equal violence to character and conscience. I have thought it, on the contrary, more consistent with the wishes and intentions of the general assembly, as well as with my own character, to resign into their hands, as I now respectfully do, the office of senator of Virginia in the congress of the United States, which has been, and would have continued to be, my highest pride to hold, so long as I could do so with honor.

To this communication, I beg leave to add the expression of the dutiful and distinguished consideration with which I am, your fellow citizen and most obedient servant.

W. C. RIVES.

Mr. Rives, on the 21st Feb. addressed a letter to the editor of the “Richmond Enquirer,” from which, in justice to him, we make the following extracts:

“I am sorry that my friends should, for a moment, have given any sort of credit to the rumor that I am going into the cabinet. There is not, my dear sir, the slightest foundation for this rumor and I beg you to be assured, and to assure all my friends, that no earthly considerations would induce me, standing in the position I now do, to take an executive appointment. Whatever other denunciations may be poured out against me, no suspicion shall rest upon the purity of my motives in the course which, from the deepest conviction, I have pursued here. I shall throw myself fearlessly upon the people of Virginia, to sustain and vindicate the principles I have contended for in their name. I go at once into private life, to co-operate, nevertheless, to the best of my ability, in the maintenance of the principles which have heretofore been cherished by Virginia, and with the distinct understanding, that I invoke the judgment of the people in the coming elections. The issue will thus be joined with our adversaries in the most emphatic manner, and in the way best calculated to arouse the vigilance of the people in the selection of their representatives.”

“I shall go upon the republican principle which we have always recognized in Virginia, to obey or resign; and my resignation, under the circumstances of the case, will be the most unequivocal recognition I could make of the authority of the legislature. Be assured, I shall give no countenance to the sophism of Mr. Southard and Mr. Frelinghuysen, that the senator must look to the people and not to the legislature—a principle which opens the widest door for the evasion of all responsibility on the part of the senators of the United States.”

## LEGISLATURE OF PENNSYLVANIA.

### GOVERNOR'S MESSAGE.

Read in the senate and house of representatives, Feb. 26, 1834.  
To the senate and house of representatives  
of the commonwealth of Pennsylvania.

GENTLEMEN: Recent events have produced a change in the pecuniary relations of the commonwealth so sudden and unexpected, and of a character so blighting to the reasonable hopes and expectations which had heretofore been fondly cherished, and which, from the flattering prospects the recent prosperous condition of the commonwealth held out to us, we had every reason to believe would be realized, that I feel it my duty to bring the subject before the representatives of the people, as claiming, in a peculiar manner, their attention, and such prompt legislative action, as will be best calculated to meet the emergency.

Of the loan of three hundred thousand dollars, recently authorized by the general assembly, to meet the demands upon the treasury, arising from the failure on the part of the holders of the principal loan of last year, to comply with their contract, the sum of twenty-five thousand dollars still remains undeposited; and for the balance of the last year's loan, amounting to seven hundred and twenty-nine thousand dollars, and upwards, which had been thrown into the market, and which it was expected would have been negotiated on the twenty-second instant, I regret to say, not a bid was received. A disappointment so extraordinary, was scarcely to have been expected, even under the present deranged state of the money market; but whilst we may regret that a combination of circumstances, so unpropitious and discouraging in their character, and bearing upon the important interests of the commonwealth, should exist, it is at the same time gratifying to know, that the causes in which they originated are not ascribable to any depression of the credit of the state; to any want of punctuality in meeting its

engagements, in the payment of interest upon its debt, or to any mismanagement on the part of those to whom has been entrusted the charge and administration of its fiscal and other concerns. I infer this from the fact, that if such cause had existed, its notoriety would long since have been made manifest. It is said by those conversant with such matters, and whose opportunities of acquiring correct information on the subject, entitles them to belief, that Pennsylvania stocks are in as good credit, and maintain as high prices in foreign markets now, as they have done at any time heretofore. To what cause then are we to look for the difficulties which embarrass us on every side?

It must be owing to extraneous circumstances, unconnected with the commonwealth or its transactions, and over which it has no control. We must be indebted, it is presumed, for this unpropitious state of things, to the existing excitement and alarm, got up in relation to a supposed general state of pressure, distress and embarrassment, said now to be prevalent in the money market, and about which we hear so much. All confidence in the currency of the country is said to be destroyed; that banks as well as individual capitalists, are unwilling to adventure upon speculations or investments of any kind, or to part with their money upon any terms. Various causes have been assigned for this alarming state of things, all more or less plausible. Among others it is said that the removal of the public deposits from the bank of the United States, by the general government, has been the means of producing all the mischief and pressure under which the country is now laboring; and yet many of the friends of that institution admit, that a restoration of the deposits is not necessary to the relief of the money market. Whatever other causes may exist, it cannot be disguised that we have among us a powerful moneyed institution, which is at this time seeking, by all the means of which it is capable, to accomplish certain objects indispensable to its existence; and having an energetic, a firm and unbending antagonist to contend against, all its energies and all its powers (and they are of no ordinary character) have been put in motion, to defeat his measures and to frustrate his designs in relation to it.

It can scarcely be doubted, from the course of operations that institution has been pursuing for some time past (whether justifiable or not I will not undertake to determine), that the state is indebted in a great measure for its disappointments heretofore, and for the failure to obtain its loan on Saturday last. Whether by bringing indiscriminate ruin and distress upon an offending community by the bank is the most certain mode of obtaining a return of the public deposits, a renewal of its charter, or an extension of time to wind up its business, is a question for those who have the direction and management of its affairs, to determine. A milder and more liberal course might have been attended with more favorable results. The state of Pennsylvania may be crippled and embarrassed in her pecuniary arrangements, and paralysed for a time, in her efforts to complete her great chain of improvements, by the depressing policy of the bank, but that is no reason why we should despair of the commonwealth; our public works may languish for a season, but will not be suffered to languish long; the resources of the state are ample; her credit is unimpaired; her public stocks, although under a momentary depression at home, are highly acceptable abroad, and will before long be as eagerly sought after by the capitalist as ever; the crisis in our pecuniary affairs must soon arrive, if we have not already reached it—the clouds of distress and despondency which have been, in my humble estimation, inconsiderately and needlessly brought upon us, must soon be removed, and a happy change and a more prosperous era must inevitably await us.

In the mean time, the balance of the old loan, for which no offer was obtained on Saturday last, will be again placed in the market, and continued there until it shall have been negotiated. I would take this occasion, respectfully to recommend to the consideration of the general assembly, the propriety of passing a law, forthwith authorising a call upon the several state banks, which by their charters are bound to loan to the commonwealth five per cent. upon their capital actually paid in, for a compliance with that provision; part of this sum to be applied to the payment of debts of the commonwealth due to contractors upon the public works, and the residue thereof to be made applicable to repairs along the lines of the public improvements. The board of canal commissioners will give the necessary information in reference to the sum that ought to be made applicable to each object. An immediate suspension of the work upon the several lines of improvement, until the loan first mentioned shall have been negotiated, will be indispensable. Permit me also respectfully to urge upon the consideration of the general assembly, the propriety of authorising a loan of such a sum as will be sufficient to finish the public works now in progress at least; for although the prospect is gloomy, and the money market may continue to be embarrassed for a time, yet that gloom and that embarrassment may pass away like a mist before the morning sun, and our pecuniary affairs may take a turn so favorable, as to enable us not only to obtain a loan upon advantageous terms, but also to complete the works alluded to, before the end of the coming season. GEO: WOLF.

Harrisburgh, February 26th, 1854.

The Pennsylvania Intelligencer says—It will be seen that the governor recommends to the legislature to pass a law forthwith, obliging the state banks to loan to the commonwealth 5 per cent. on their capital stock, according to a provision in their charters when called upon. The bank of Pennsylvania is exempted,

and we know not but some others are. If not, the state can raise the following sum:

5 per cent. on Philadelphia banks	\$504,452
do. county banks	223,596
	728,048
State temporary loan from liable banks	225,000
	\$503,048

The above sum of \$503,048 can be raised from the banks, unless the loans which they have already made will exempt them. If they are exempted, then the sum of \$225,000, which has already been borrowed from the county banks, must be deducted, which will reduce the sum to little more than \$300,000.

NEW YORK [TAMMANY] REPORT.

It is our desire to present different views of the great subject which now agitates all the classes of the business and producing parts of the American people, and, on that principle, we give the following report.

We rather prefer, and generally do, publish such things without comment, and though there is matter for much discussion in this report, we shall only briefly notice some of the points made in it; while believing that there are parts of the argument that will not stand the test of a careful investigation, by those who have studied the principles of finance and the nature of currency. But let these pass, for the present.

1. The facts stated, as drawn from the "Weekly Register," we then thought and still believe, were strictly true. We will not abate one word of what we then said. And they only show bad management of the early direction of the bank of the U. States, as stated in the leading editorial article\* in this sheet, and furnish some of the reasons why we attacked it in 1818-19. They thought that they had "the world in a sling," and seemed to act accordingly; and the many hundred local "rag-shops" assisted to heap up the misery that followed, as was then stated.

2. We deny the great influence which is attributed to the "new system of duties." It may have had some effect at New York, as the chief place of importation. But the effect was local, and, in our opinion, not important. And, what extent has this doctrine? Look at the case of the cargo of tea, as stated. This is an article which our country does not produce—in which we can have no interest, unless as revenue, or in its cheapness. But shall high duties be laid for the sole purpose of giving artificial credits to merchants, which, indeed, have done much to cause the "over-tradings" alluded to, by adding greatly to the "circulation of values," spoken of in the last "Register," as dependent on foreign labor and production for its amount—which is an unsafe one.

3. We accord, generally, with what is said about a "paper foundation," but contend that, as is stated in the article just above referred to, that a sound and wholesome paper currency, (such as we have latterly had), is better and cheaper than the use of coin.† The only thing requisite

\*The editorial article was prepared before we saw the report given below, though an after-allusion is made to it.

†A Philadelphia paper has the following—

At such a crisis as this, every patriot should bring his offering to the shrine of the public good; and we rejoice to see professor Hare, losing sight for a moment of the attractions of science, to pay a just tribute to the emergency of the times. Now is the hour, when every man should bring forward his plans for the general welfare, and exert his talents to rescue our beloved country from impending ruin!

These remarks have been elicited, by a pamphlet, entitled "Proofs that credit as money, in a truly free country, is to a great extent preferable to coin. By Robert Hare, M. D. professor, &c. Abstracted from a pamphlet, published in 1810, and revised by the author, 1834.

This is not only an ingenious, but a powerful disquisition on the great advantages, and stupendous agencies of credit, employed as a medium of exchange; and a substitute for money, and we deeply regret that our limits prevent us from making copious quotations from this sound and patriotic essay. Suffice it here to observe, that it is this species of money which the tyrannical usurpation of gen. Jackson has destroyed, by his wicked warfare against the currency, the laws and the constitution.

Some idea of the principles which form the basis of professor Hare's theory, may be obtained from the following fact, that the bank of the United States, by this kind of credit, accomplish domestic exchanges to the immense amount of 240 millions of dollars—which in silver coin, would weigh twelve millions five hundred thousand pounds, a weight which never could be remitted from place to place, without an expense that would destroy all profit.

is to regulate that currency wisely. The operations of this country cannot be performed by coin—unless restricted to an absolutely ruinous extent, and changes in the value of all sorts of property that would unhinge every department of society.

From the New York Standard.

The following interesting document was to have appeared in our paper yesterday, but was delayed for the want of some statistical details. The committee explain in a note why it appears without them.

At a meeting of merchants, traders, mechanics and others, held at Tammany hall on the 19th of February, 1834, of which the honorable Stephen Allen was president, the following persons, namely:

Preserved Fish,	Walter Bowne,
Jacob Lorrillard,	John Bolton,
Morgan Lewis,	Gideon Lee,
Eldad Holmes,	James J. Roosevelt, jr.
Thomas Sniffers,	Reuben Withers,
Abraham Van Ness,	James McBride,
David Bryson,	Thaddeus Phelps,
Abraham Bloodgood,	John Leonard,
John W. Hardenbrook,	George Sharpe,
George Douglas,	Morgan L. Smith,
John Lovett,	John Lozier,
Samuel Thompson,	Stephen Allen,
John R. Marshall,	M. M. Quackenboss,
John H. Howland,	John L. Graham,
Prosper M. Wetmore,	

were appointed a committee, "with power to confer and advise with other constituted bodies, and to adopt measures necessary to remove existing difficulties, restore public confidence, and thereby avert predicted evils."

The committee having assembled at the city hall on the 21st instant, proceeded to the consideration of the several matters embraced in the resolutions under which they were appointed, and after some time spent thereon, it was referred to a sub-committee, consisting of Messrs. Lorrillard, Allen, Douglas, Wetmore, Withers, Fish and Roosevelt, to prepare a suitable report to be submitted to a subsequent meeting. Accordingly at an adjourned meeting of the committee, held at the same place on the 25th instant, Mr. Roosevelt, from the sub-committee presented the following report, which having been read and discussed was unanimously adopted, and ordered to be signed by the chairman and secretary and published in all the papers of the city.

Having carefully deliberated on the subject, the committee, in part discharge of their duties, would respectfully submit to their fellow citizens, the following

#### REPORT.

In the performance of a duty of such high importance, as that which has been confided to the committee, they have felt it incumbent on them to enter somewhat at large into the examination of the subject contemplated by their appointment. They have been desirous to demonstrate, to all such at least as do not wilfully close their eyes against the truth, the injuries which may be inflicted upon a people by hasty and imprudent legislation, and by the improper, if not dishonest administration of institutions incorporated ostensibly for the public good.

One of the most common errors in popular reasoning, and of which the artful and designing too often avail themselves, is the habit of regarding whatever goes before as necessarily the cause of whatever immediately follows. A striking illustration of this position is to be found in the opinion now so strongly entertained by some persons, but only used by others, that the present pecuniary embarrassments is the effect of the removal of the public deposits from the national bank to the banks of the states.

To any one who looks into the matter coolly and dispassionately, it must be obvious that so far at least as this city is concerned, the alleged cause of the distress has been a real cause of its partial alleviation; inasmuch as a large portion of the public revenues, under the former arrangement, were collected here to be loaned elsewhere, are now loaned here, where they are collected.

The true causes, in the opinion of this committee of the present derangement of our moneyed affairs, are to be found principally, first, in the unavoidably re action always consequent upon a great and sudden expansion of the circulating medium; and, secondly, in the extensive and fundamental alterations made by the last congress both in the amount of the commercial imports and in the mode of their collection.

In regard to the first of these causes, its discussion, at the present time, is mingled with so many of the elements of party and passion, that the more moderate portion of the community are becoming distrustful of even the soundest arguments, and the most candid statements, in any way connected with it.

The committee have deemed it proper therefore to refer to the history of another period.

In the first eighteen months of its existence, namely, during the year 1817 and part of 1818, the bank of the United States,

Another fact—the bank with 10 millions of specie can circulate credit amounting to 70 millions, or 100 millions, and save the specie from all wear, tare and expense! What a transcendent advantage of sound credit over hard money.

through its numerous branches, had issued according to the report of Mr. Cheves, notes to an enormous amount. Its discounts in this short period, although the specie part of its capital was hardly two millions, exceeded forty-three millions of dollars. Every department of business, and speculation, and living, was as a necessary consequence, stimulated to the utmost—costly mansions were erected, and adorned with the most expensive furniture, sumptuous entertainments were given, and splendid equipages were set up. And every man seemed to imagine that because credits were abundant, riches must equally abound. The prodigality and waste of some of our citizens were almost beyond belief. "We have heard," says the Weekly Register, of 1819, "that the furniture of a single parlor, possessed by, we cannot say, belonging to one individual, (who afterwards became bankrupt), cost forty thousand dollars." In this way, according to the views of those who looked only at the surface, the country enjoyed a state of "unexampled prosperity." And what without any "removal of the deposits" was the sequel of this previously brilliant drama. A rapid curtailment of discounts was commenced. The southern and western offices were directed not to issue their notes; the bank ceased to purchase and collect exchanges on the south and west; and the local institutions were called upon to pay up their balances.

These measures according to the report of its then president, Mr. Cheves, simple and obvious as they are, and some of them so strangely overlooked so long, lifted the bank in the short space of seventy days, from the extreme of prostration to a state of safety, and even, in degree, of power; and enabled it to defy all attacks.

"The bank," observes a judicious commentator on this statement, "was saved, and the people were ruined." For a time the question every morning, was, not who had broken the previous day, but, who yet stood? Suits, warrants and executions took the place of bank credits. "From all parts of the country," says the Weekly Register of April 10, 1819, "we hear of a severe pressure on men in business, a general stagnation of trade, a large reduction in the price of staple articles. Real property is rapidly depreciating in its nominal value and its rents or profits are exceedingly diminishing. Many highly respectable traders have become bankrupts, and it is agreed that many other must go—the banks are refusing their customary accommodations, confidence among merchants is shaken, and 3 per cent. a month is offered for the discount of promissory notes which a little while ago were considered as good as old gold, and whose makers have not since suffered any losses to render their notes less valuable than heretofore." Four months afterwards, August 7th, 1819, the same journal says, "it is estimated that there are 20,000 persons daily seeking work in Philadelphia; in New York 10,000 able bodied men are said to be wandering about the streets looking for it, and if we add to them the women who desire something to do, the amount cannot be less than 20,000." A committee appointed by a meeting of the citizens of Philadelphia on the 21st August, 1819, to inquire into the situation of the manufacturers of the city and its vicinity reported on the 2d of October, that of thirty mechanical and manufacturing branches of trade, which they enumerated, which gave employment to 9,188 persons in 1814, and to 9,672 in 1816, there were but 2,137 persons employed in 1819.

Here then we have a case of former days, precisely so far as the effect of moneyed credits is concerned analogous to the present. As more recently in 1831 so in 1817, the flood gates of circulation had been opened wide, a scene of unexampled prosperity as it seemed, but of delusive intoxication as it really was, ensued.

The day of contraction, however, as we have seen, soon came; the order for that purpose was issued from Philadelphia on the 20th July, 1818, and by the 1st of April following, the curtailments had amounted to the immense sum of \$6,530,159. And what then became of the unexampled prosperity, about which, then, as now, so much has been said. Being a mere phantasm, it vanished, as we have seen, in an instant, and universal ruin and dismay followed in its footsteps. The community then saw, and felt, as they now feel, without seeing, and of course, without acknowledging, that paper money, like dram drinking, relieves for the moment by the deceitful sensation it creates; but gradually exhausting the natural heat, leaves the body at length in a worse state than it found it.

We have the authority of the printed statement, laid before the stockholders by their then president, for saying that during all this time (1817, '18 and '19), the bank had the advantage of immense government deposits—that at the very moment when the curtailments were ordered, "the government deposits in the bank and its branches amounted to eight millions of dollars."

If, then, the possession of the deposits did not prevent the contraction and consequent ruin of 1819, why should the removal of the deposits be the cause, under precisely similar circumstances, of the contraction and ruin of 1834.

The truth is, the removal of the deposits, unless it be as furnishing a motive for a course of measures which would not otherwise have been adopted, has, as your committee believe, had no agency whatever in producing the present pecuniary difficulties; but, on the contrary, has prevented their being much greater than they are.

The committee believe that the directors of the United States' bank, in the enormous addition in the years 1830 and '31 of

twenty-eight millions to the already adequate quantity of bank facilities, (to say nothing of the very questionable design of the measure), were guilty of a great public injury, and by thus, themselves creating the necessity for the present curtailments, were the real authors of by far the larger portion of the calamities which they now seek to ascribe to the president of the United States.

The second leading cause of the present commercial pressure, will be found in the new system of duties and imports.

The influence of the late tariff acts, in bringing about the state of things so loudly complained of, would seem to be little understood, and still less appreciated.

To say that a partial reduction in some cases or total removal of duties on imports creates commercial distress, would appear, at first blush, a paradox. But let us see its operation.

A merchant under the old system imported, we will suppose, a cargo of tea, costing in China one hundred thousand dollars, the duties on which, we will also suppose, were one hundred thousand more, not payable, however, till the expiration of twelve months. The value here then of the cargo for the purpose of our argument, would be 200,000 dollars, and for that sum he would of course be able to sell it for short notes of individuals, which being discounted, would be immediately turned into so much bank paper, and added to the circulating medium. Now take off the duty, and what was before \$200,000 sinks immediately to \$100,000, and with it sinks the corresponding amount of circulating medium.

The reduction of duties of the New York custom house within the last — months, and the consequent reduction in the same short period of circulating credit, in this single city, has been estimated at — millions.

The evil, however, does not stop here. Of the remaining duties, about — millions have been made payable in cash, and that, too, before the possession of the goods on which they are laid, and the residue, says — millions in bonds with greatly shortened credits\*.

Although this part of the system has not, like the other, effected an absolute destruction of so much of the moneyed capital of the city, yet it is apparent that it must have created a greatly increased demand for the diminished portion which the other had left.

In addition to these effects of the new tariff, which are permanent, there is another, arising merely out of the transition from the former system to the present, which has served greatly for the moment to aggravate the evil. The long bonds of the old system, and the short bonds and cash duties of the new, have fallen due simultaneously; thus concentrating, to a great degree, the burthens of two years upon the shoulders of one.

We have thus briefly adverted to the two leading sources of the present difficulties—the sudden expansion and the sudden contraction of the circulating medium—and the radical changes, now in a course of operation, in the amount and mode of collecting the national revenues.

Overtrading also has contributed its share, not overtrading in stocks and merchandise merely, but overtrading also in real estate. The whole neighbourhood of the city at an exorbitantly enhanced valuation, has been literally covered with contracts, requiring sooner or later the payment of money, and of course augmenting, in a corresponding degree, the demand for its possession.

The overtrading and speculation, however, has rather been an effect than a cause. It resulted, necessarily, like other deceptive appearances of great prosperity, from the enormous expansion of the circulating medium, and has hardly yet had time to subside.

Having thus ascertained, truly as we believe, the nature and origin of the disease under which the community is laboring, we feel the more confident in the suggestions we shall offer as the remedy.

First then, admitting as we do that the bank issues had been unduly expanded, and that a great curtailment was therefore necessary, we insist, that to make it suddenly and rapidly, or even at all, at a period, when other causes, as we have shown, are producing an unwonted demand for business facilities, is inexpedient and unjustifiable, and on the part of the bank, whose own previous acts created the necessity, is obnoxious to the severest censure.

The curtailment, indispensable as it will ultimately be, ought, and in the present state of our foreign exchange, may, with perfect safety, be postponed until the commercial operations of the city shall have had time to accommodate themselves to the new revenue code.

We feel ourselves warranted, therefore, in making an earnest appeal to our local institutions to aid for the present the commercial and business community, by such an extension of discounts as may be consistent with their own safety.

In the second place, we would urge upon congress the adoption of the warehouse system, so that importers may not be compelled to pay their duties, or procure sureties for the purpose, until they are ready to dispose of their goods.

\* The committee being desirous of minute accuracy in their statements, delayed the publication of the report with the view of obtaining the materials necessary for filling up these blanks. Not having been able, as yet, to procure them, they have not deemed it necessary to delay the report longer, inasmuch as the defect can be supplied in their future communication.

Thirdly, as panic in times of pecuniary pressure, tends to dry up the sources of credit, and thus to aggravate the mischief which it dreads, we cannot too earnestly recommend to the conductors of the public press, to abstain as far as practicable, from those topics and modes of excitement in which, it is apparent, some of them, of late, have too much indulged.

And lastly, though beyond all comparison first in importance—we would recommend to all classes of our fellow citizens, to dismiss from their minds inflated and delusive ideas of wealth, which never had any other than a paper foundation, and to introduce into their business arrangements a system of economy and retrenchment and diminished credits, adapted to their real, instead of their imaginary means, and the diminished indulgence of the new revenue code. Let them look to industry, sobriety and frugality, and not to speculation and bank favors, as the only safe and permanent sources of riches and prosperity.

The committee, in these suggestions, do not wish to be understood as having ceased their labors. They know, and fully sympathise in the deep anxiety of the public mind. They perceive, and feel no disposition to disguise the truth, that a severe pecuniary pressure, the origin of which they have endeavored to trace and expose, exists; and it will be the object of their further efforts and deliberations to devise some plan, if possible, in addition to the measures already recommended, to allay excitement, restore confidence, and mitigate, if not remove, the evil complained of.

PRESERVED FISH, chairman.

JAMES J. ROOSEVELT, jun. secretary.

#### MEETING OF MERCHANTS AND TRADERS.

A very numerous meeting of the merchants and traders of the interior, now in the city of Philadelphia, was held in the spacious dining room of the United States' hotel, in Philadelphia, on Saturday evening, the 1st of March, 1834, at which James Barbour, of Kentucky, presided, and the following resolutions were unanimously adopted:

1. Resolved, That a national bank is essential to the prosperity of the United States; and especially to the interior of the country, to the inhabitants of which, a sound currency, and equal exchanges are of the highest moment.

2. Resolved, That the bank of the United States has furnished a currency always as good, and often more desirable than specie; and has afforded all the benefits which could be desired for trade; and that we apprehend as the greatest of evils, a return to a state bank currency, unchecked by the existence of a national bank—our experience having shown the course of such a system, in a flood of uncurrent and irredeemable paper, and a great degree of relief and stop laws.

3. Resolved, That, as under the present organization of the bank of the United States, portions of its capital are distributed over every section of the union, and in this way the public deposits are rendered beneficial to the whole country, we cannot recognise the justice of the claim of those who demand the exclusive use of this treasure for banking purposes—for how can the importing merchants pay the duties on goods without sending them to us, and how can we pay for goods without vending them again? We contend that it is not the importer or the retailer, but the consumer, who ultimately pays the duties, and therefore we prefer a national bank, with branches, that the whole country may participate in its benefits.

4. Resolved, That the depreciation in the value of property and produce, together with the losses and difficulties now sustained in trade by the interior, are unreasonable and grievous; and such as, if not speedily prevented, will involve the western country in the greatest embarrassments.

5. Resolved, That the senators and representatives from the interior are hereby earnestly requested, as they regard the interests of their constituents, to use their efforts to effect a recharter of the bank of the United States with such modifications as the wisdom of congress may devise.

6. Resolved, That the present condition of the country is alarming in the extreme; that the consequences to the interior, where capital is less accumulated than on the seaboard, must be most severe, and that the state of the nation demands immediate and efficient measures of relief, without which we see nothing but ruin to our country.

7. Resolved, That the present sufferings of the people being entirely the result of human action, the means of relief are altogether within the reach of legislative control, and that congress is bound to consult the public good, and to take immediate steps to secure it.

#### PHILADELPHIA (JACKSON) MEETING.

A town meeting was held at Philadelphia, on the afternoon of the 26th February, composed of "the citizens of the city and county, friendly to general Jackson, and the general policy of the administration, but who disapprove of the removal of the public deposits from the bank of the United States." The meeting was large and respectable, and its proceedings orderly and decorous. Among the resolutions adopted on the occasion were the following, which require no explanation:

Resolved, That, in our opinions, the present pecuniary embarrassments of the country have been principally occasioned by the removal of the public deposits from the bank of the U. States.

Resolved, That the removal of the deposits was impolitic, because the public mind is diverted from the only questions that

should occupy it, in relation to the bank, its constitutionality and public convenience, to another, and wholly different subject, calculated to enlist the passions of the people, and prevent that cool and dispassionate consideration so important a subject demands.

*Resolved*, That it was also impolitic, because the public has an interest in the stock of the bank to the amount of \$7,000,000, which has much depreciated in value by the ineasures complained of. And, because, by the embarrassment of trade, a great diminution of the public revenue may be expected for the current year.

*Resolved*, That, in our opinions, the removal of the public deposits was a violation of public faith pledged to the bank; because, by the terms of the charter, the deposits were to be made with it, on certain conditions, which we believe to have been fully complied with by the bank. The last session of congress declared that the deposits might be "safely continued in the bank," and it is not pretended that any circumstance has since arisen to make them less safe in that than in any other institution.

*Resolved*, That, as yet, the distress and embarrassments produced by the measure, principally affect large cities and inland towns, but must soon be felt by every class of the community. The people of this state have always manifested a willingness to submit to loss and privation for the sake of principle; but we can see no wisdom or propriety in calling suffering from afar, at an unexpected moment, that their virtues and endurance and patience may be unnecessarily tried.

*Resolved*, That as from the time of removing the deposits until the expiration of the time allowed the bank to settle, and finally close its concerns, a period of four years and a half would elapse, that measure brought on the public suddenly and unguardedly an immediate, unmitigated, and we fear a protracted, instead of a remote and much alleviated evil, against which the community would have gradually and prudently prepared, having been apprised of the improbability of a recharter of the bank.

*Resolved*, That we believe that the removal of the deposits is part of a great scheme designed by some leading politicians to destroy the present bank for the purpose of erecting upon its ruins another bank to be located in New York for political and speculating purposes.

*Resolved*, That although we have always given to gen. Jackson our warm and zealous support, we do not think it incompatible with our regard for him, and the general principles of his administration, but the duty and privilege of freemen, to express our opinions that the removal of the public deposits from the bank of the United States was impolitic, unwise and unnecessary, and has deranged the currency and paralyzed the industry of the country.

A resolution was offered by B. W. Richards, esq. preceded by some explanatory remarks as follows, viz:

*Resolved*, That as Pennsylvanians, we hail the bright example of our ancient and honorable ally, Virginia; and that we are ready with her to rally again on the doctrines of '98, in a vigorous effort, to restrain the encroachments of executive power, to sustain the rights of the states, and the perpetuity of our union and its happy institutions.

#### PUBLIC MEETING AT BALTIMORE.

At a very large and highly respectable meeting of the signers of the memorial to congress, and others, favorable to the restoration of the deposits, convened in Monument square on Wednesday afternoon, the 5th of March, at 4 o'clock, to receive the report of the delegation which lately visited Washington with the memorial:

His honor, Judge Brice, *president*.

William Crawford, jr. William H. Conkling, Joseph K. Stapleton, Samuel D. Walker, William Hubbard, Joseph W. Patterson, *vice presidents*.

Hugh W. Evans and George Rogers, *secretaries*.

Judge Brice having opened the meeting with a short address, explanatory of its objects,

William Crawford, jr. esq. chairman of the delegation, on presenting the report, made the following observations:

*Fellow citizens*: As chairman of your committee I have the honor to present to this meeting a report which I now hold in my hand, and while I ask for your kind attention, permit me to say one word for this my beloved, my adopted country. We have arrived at an awful crisis, but one short year has passed from a state of unprecedented prosperity, to a state of awful distress, unexampled in the history of our country.

I beg you to turn your eyes to the root of this evil; does there exist a shadow of doubt from whence it emanates?

The constitution gives to the president veto powers, which have been carried to great extremes, in his refusal to sign a modified charter, passed last session by both houses of congress by large majorities, asserting amongst other reasons that the public money was not safe in the United States' bank! Is there a man in this country divested of party feelings who believed it—no my countrymen—a national bank properly constituted is as necessary to regulate the exchanges and currency of the country and preserve a sound and healthy circulation, as the sun is to the planetary system.

Our currency ought to be like Cæsar's wife, not only pure but beyond suspicion. We are told that in the early history of our country there was a time that tried men's souls; that time has again arrived; let us meet the crisis like men. I have too

much confidence in the virtue and integrity of the people to despair of the republic. It is known to many of you that I have gone for the president through evil and through good report, and part with him now as with my first love. On this stand, where I appear for the first time, I renounce all allegiance with unholty affections. The subject is fruitful, but I cannot longer detain you. One word more, and I have done. Can you my countrymen longer cling to him who is regulated by an under current of bad advisers? Submit to this and be slaves!—Again I answer NO.

After which David Stewart, esq. being called on by the president, read the following report, which was duly accepted by the meeting.

#### Report of the Baltimore committee.

The delegation appointed by the meeting of the signers of the memorial for the restoration of the government deposits to the bank of the United States, held at the exchange, in the city of Baltimore, on Thursday 6th of February, 1834.

*Respectfully beg leave to report:*

That in compliance with the duty required of them by the meeting, they proceeded with the memorial to the city of Washington, on Monday the 10th of February, and immediately applied themselves to the accomplishment of the objects of their mission. They visited gen. Chambers, of the senate, and received from him assurances of his warm support; and the memorial being placed in his hands, it was accordingly presented to the senate, on the following Wednesday, with such a notice of it as was calculated to insure it a respectful consideration from that body. The delegation also visited Mr. J. P. Heath, one of the representatives of the city of Baltimore. They found him actively disposed to promote the wishes of the signers of the memorial, and, equally with general Chambers, kind and assiduous in his attentions to the delegation. They had also the good fortune to enlist the regards of many members of both houses of congress, who promised them a ready co-operation and support.

The delegation regret that the same favor was not extended to them by the other representative from the city of Baltimore, Mr. Isaac McKim. From the elevated position which that gentleman held as the representative, in part, of a great trading community, himself extensively engaged in commerce, and supposed to be conversant with the varied interests of the society in which he lived, the delegation were disposed to attach some importance to his efforts in behalf of the objects of the memorial. And they felt the more anxious on this score, as they had understood that Mr. McKim had given the sanction of his name to the opinion that the city of Baltimore had not suffered by the recent derangement of the commerce and industry of the nation—an opinion which they did not doubt they would effectually remove from his mind by the cogency of the evidence which they were enabled to furnish, under the sign manual of so large and respectable a meeting of his constituents. And it is due to Mr. McKim, to say, that in his interview with the delegation—whatever might have been his former opinions—he no longer doubted the reality of the distress in the city of Baltimore. The fact Mr. McKim admitted, and also acknowledged that, in his judgment, the removal of the deposits was a wrong and injurious measure. This conviction, however, he intimated could not change his course in reference to the subject of the removal. His remark was "that the act was done; and that he should therefore, on all hazards vote with the government." The reason assigned by him for this determination was, that he had some influence with the executive which he might turn to the advantage of his constituents, and that he did not wish to lose this by differing with the executive in opinion. Moreover, that he was elected to support gen. Jackson, and would do so at the risk of his life and fortune; that no friend of the administration could differ in opinion with gen. Jackson, and preserve his influence, that any attempt to advise gen. Jackson, by his friends, would be met with an expression of displeasure, and as an instance of this, Mr. Bibb had once attempted it, and was told, in consequence—"when the president wanted him he would send for him."

With these sentiments, Mr. McKim seemed particularly anxious to avoid being asked to present the memorial—intimating, that if he were to present it, it would operate to his disadvantage, and also saying, that he would be expected to present the counter memorial, which was then preparing in Baltimore.

These declarations on the part of Mr. McKim—even if the delegation had designed to request him to present the memorial in the house of representatives,—and many remarks of a similar import, sufficiently indicated to the delegation that they had nothing to hope from his services, and they, accordingly, forbore to hold further intercourse with him on the subject. Indeed, from a gentleman holding a position in society which gave him every privilege of independence, and invested also with a public station as the representative of an intelligent and patriotic community, who have always been accustomed to expect, and ready to applaud the exercise of an upright and independent judgment by their official servants—the delegation were not prepared to hear confessed such complete submission to the views, present and future, of the executive; nor did they believe, until now, that the requisitions made by the executive upon its supporters were of so exacting and rigorous a character, as seemed to be inferred by the objection of Mr. McKim—especially as they had recently seen many evidences, in both houses of congress, in which some of the most devoted followers of the party in power were not afraid to do justice to their own constituents, in the

presentation of memorials that certified the public distress even to the ear of him who claims to be the government.

It was therefore with a more satisfied feeling, and with more confident assurance of efficient aid, that the delegation betook themselves to Mr. Heath, whom they now determined to solicit to lay the memorial before the house of representatives. This gentleman presented that document to the house, on Monday the 17th, and recommended it by a speech which has since appeared in the public journals, and which has won him the thanks of his fellow citizens—a speech that glows with the fervor of a manly mind, and evinces a spirit that cannot be warped from its duty either by the fear of executive denunciation, or by the hope of preserving, through blind obedience and servile submission, a share of executive favor.

During their stay at Washington, a part of the delegation took an opportunity to call on Mr. Taney, the secretary of the treasury. They were received with the courtesy natural to that gentleman; and in the course of an audience of half an hour, were enabled to hear his views on the subject of the present difficulties of the country, and the course which the executive branch of the government was likely to pursue. Mr. Taney remarked, that the bank had arrayed itself against the government, and that the government would not yield: that the impression of the government was, that the evil the people complained of, grew out of the great power of the bank: that the government was making an experiment—and, however bold, he would not undertake to advise any change from the position it had assumed against the bank: that he, (the secretary), found no difficulty in transmitting funds from one part of this extensive country to the other. In the course of this conversation one of the delegation remarked to Mr. Taney,—“Sir, if this experiment should be persisted in, and some relief—such as we do not now anticipate—should not be given, a large proportion of the trading community must fail.” The secretary replied—“If all did fail, the policy of the government would not be changed.” He proceeded to say, “that if the commercial classes had properly sustained their state institutions, the present state of things would not have existed,”—adding, “that the government would make no change until the present bank charter expired.” He also expressed his surprise “that, after what had appeared in the newspapers, and the long speeches made in congress, more failures had not taken place.”

By an arrangement procured through the attention of Mr. Heath, the delegation were enabled to visit the president. They thought it a part of their duty to make this visit, and to lay before the chief magistrate such information as might exhibit to him the actual state of affairs in this community. The time appointed for the interview was at eleven o'clock on Wednesday, and, accordingly, at that time, seven of the delegation repaired with Mr. Heath to the residence of the president, where they were severally presented to him; and after a few minutes, during which the president was engaged with other visitors, the chairman of the delegation addressed the president in the following terms:—

“General, you are, no doubt, aware that this committee has the honour to be delegated by the citizens of Baltimore, without regard to party, to come to you, sir,—the fountain head,—to make known the distressing situation of the currency of this country, and respectfully to ask, from you, relief.”

“Relief, sir?”—interrupted the president in a tone of excitement.—“Come not to me, sir!—Go to the monster! Did not Nicholas Biddle come here, sir, and on his oath, swear before a committee, that with six millions in his vaults he could meet the wants of the whole people?—And now,—when he has wrung more than ten millions from the people,—he sends you to me for relief! It is folly, sir, to talk to Andrew Jackson.—The government will not bow to the monster.”

“Sir,” said the chairman,—“the currency of the country is in a dreadful situation. The state banks have not confidence in each other—they cannot give trade the facilities required. I have recently travelled to and from the Falls of Ohio to Baltimore, and can assure you, sir, I have heard but one opinion on this subject. We are your friends—not politicians. I have always been, up to the present moment, a decided friend of your administration.”—Here, the president, in a very angry tone of voice, interrupted the chairman, by saying—

“Sir, you keep one-sided company. Andrew Jackson has fifty letters from persons of all parties, daily on this subject. Sir, he has more and better information than you sir—or any of you. Andrew Jackson published his opinions in September last. I am surprised that you thus talk to me, sir!—It is folly: you would have us like the people of Ireland, paying tribute to London, that already gets a large amount annually from this country; extorted from the laboring part of the community. The failures that are now taking place are amongst the stock-jobbers, brokers, and gamblers, and would to God, they were all swept from the land!—it would be a happy thing for the country.

“Sir,” said the chairman, “all my experience goes to show that there is no money more cheerfully paid by the merchants and people of this country than interest—bank interest—not such interest as they now pay—say two and a half per cent. to collect a right draught drawn in Baltimore on Pittsburgh.”

“Sir,” replied the president, “I had, last night, any amount of money offered me on good security, by a gentleman from New York, at six per cent. They are, sir, men who have over-traded that are now pressed. The real capitalists of the country felt the pressure last September and October, when the monster first put the screw down. Did not the monster draw

from the south and west, last fall, thirty-five millions? For what, sir? To oppress the state banks in your city, Philadelphia, New York and Boston. But Andrew Jackson foresaw what they were about, and met them. Sir, I could have destroyed the monster in thirty days—but the president would not do it—not wishing to bring distress upon the people. Andrew Jackson invited a compromise with the mammoth—they would have nothing to do with me, and now, sir, I will have nothing to do with them. The restoration of the deposits is virtually a renewal of the charter, one and the same thing.”

The chairman answered, “The people, sir, have not understood the character of the president, if he is unwilling to hear their calls and demands.”

Here, in a vehement manner, the president exclaimed—“The people! Talk to Andrew Jackson, sir, about the people! The people, sir, are with me. I have undergone much peril for the liberties of this people, and Andrew Jackson yet lives to put his foot upon the head of the monster, and crush him to the dust.” “Sir,” interrupted the chairman again, “the country has tried your measures—they will not do. They will ruin two-thirds of the good trading men of the country. You have bled us—we are sick, fainting and dying, one after another.”

“The mammoth, sir,” replied the president in a violent rage, “has bled you! When I put him down, sir, the other moneyed institutions will meet all the wants of the people. It is folly in the extreme, to talk to me thus, sir. I would rather undergo the tortures of ten Spanish inquisitions than that the deposits should be restored, or the monster be rechartered.”

“Sir,” said the chairman, “as there is no general relief to be had, direct the public money now in the state bank, in our city, back to the branch of the bank of the United States, and they will at once give Baltimore relief.”

“Talk not to me, sir, about your branch!” exclaimed the president, “did they not send in nine thousand dollars of their illegal bills or checks to the bank, the first day! Let them make another move on the board, and Andrew Jackson will checkmate them. Let them turn the screw again, and I will make them feel the power of the executive, by returning on them ten millions of dollars of their illegal checks now in circulation.”

“I hope, sir,” said the chairman, “you will be able to demonstrate how the country is to pay upwards of fifty millions of discounted paper now due to the bank of the United States, with a metallic currency but little over twenty millions.”

The answer was—“Go, go to the monster!—and only the other day, sir, what did the monster do? Disputed with the executive the right to the pension fund?” At this time, the president had grown into such a rage, that no object was to be gained by attempting to prolong the discussion, and as several of the delegation had already manifested their wish and their impatience to close the conference, the members of the delegation withdrew.

The delegation have endeavored to report all that passed at this interview as accurately as possible. They have employed, as far as their memory has allowed them, the exact words, that were used on both sides, and have set nothing down which was not distinctly within the recollection of some of their party; whilst, at the same time, they believe they have omitted nothing of importance to the illustration of the opinions which the president endeavored to express, except one assurance from the president which, upon reviewing what they have detailed above, they now supply. In the course of his remarks on the state of the question before the country, the president declared, that he meant to try the present experiment with the state banks, until the period of the expiration of the charter of the bank of the United States; and that if it then should be found not to answer, some other plan would be resorted to.

This concludes all that the delegation have to report of the sentiments of the president.

Soon after this interview, the delegation returned to the city of Baltimore. They deem it unnecessary to comment upon the incidents of their visit to the city of Washington. The above narrative, faithfully detailing all that passed as nearly as it was possible for the delegation to report the same, will afford every citizen of Baltimore the means of making up his own opinion in regard to the probable duration of the present state of things.

The delegation see no reason to despond. They have confidence in the wisdom and integrity of the nation, and believe that misrule, whether it be produced by passion, or by error of judgment, cannot long go uncorrected amongst an intelligent and patriotic people.

WM. CRAWFORD, jr.  
HUGH BRICKHEAD,  
G. BROWN,  
J. W. PATTERSON,  
GEO. R. GAITHER,  
W. C. SHAW,  
WM. GRAHAM,  
JNO. BROWN HOWELL,

Thereupon John P. Kennedy, esq. rose and addressed the meeting in an eloquent and appropriate speech, and concluded by offering the following resolutions, which were duly seconded by S. D. Walker, esq.

I. Resolved, as the opinion of this meeting, that the long-avowed hostility of president Andrew Jackson against the bank of the U. States—an hostility which has pursued its object with a bitterness increased by every failure of its purpose—has engendered a temper that wholly incapacitates him for wise coun-

sel in reference to that institution; his course, towards it, has consequently been marked by passion and private resentment, rather than by the sound precepts of public good.

That, having, in a period of profound tranquillity, when the great mass of the community neither saw the abuses alleged against the bank, nor feared its power, brought it within the circle of executive denunciation, and marshaled the forces of party to act against it: And when, nevertheless, it was still so much a favorite with the country as to obtain the vote of congress in favor of the renewal of its charter, his greater anger was kindled against it, and a system of warfare was adopted by him for its overthrow, which has been characterised by an acrimony unknown in the annals of our political history. That, in the course of this warfare, he has resorted to every expedient within his reach, to injure the credit of the bank, and impair its means of fulfilling its engagements to the nation—thereby evincing a reckless spirit of persecution, more resembling personal hatred than official zeal.

That, in the headlong fervor inspired by these feelings, goaded and exasperated by disappointment, he has forgotten the constitutional limits of his own power, and for the purpose of inflicting punishment upon his victim, he has unlawfully seized upon the public treasure deposited in the vaults of the bank, under the obligation of a contract, for which the honor of the nation was pledged, and has distributed this treasure wheresoever, in his judgment, the convenience of the public, as he interprets it, requires.

That in the performance of this act, he has, under the pretext of power, conferred upon him by the constitution, assumed and adopted a principle which involves a dangerous violation of the duties of a good magistrate; a principle that has been developed in the act of discarding a secretary, who held his office at the executive pleasure, because that secretary refused to obey the will of the president in a matter not within the president's supervision, but exclusively confided to the secretary by law; and then substituting in the place of the conscientious, but "refractory subordinate," another, better inclined to obey his behests; thus inculcating the mischievous political doctrine that the public functionaries can only expect to hold office upon the terms of unqualified obedience to his wishes.

That, in the removal of the deposits, he has disregarded the clear, plain and almost prophetic warnings as to the fatal effects of the measure, of the councillors whom the laws had placed around him, and in opposition to their wholesome advice, has rushed, with precipitate and most pernicious haste, to the accomplishment of his will.

That, in the same act, he has endeavored to bring into contempt the authority and reputation of congress, by forestalling the action of that body on the subject, and menacing the exercise of his veto upon any attempt it might make to restore the nation to its former attitude; thus, after many illusory professions of respect for the majority of the nation, actually threatening to shelter himself in the exceptionable powers conferred upon a minority.

That, in like manner, he has derogated from the importance and value of the co-ordinate branches of the government, by the tone with which he claims to consider the government as only existing in himself and the officers of his cabinet.

That, relying upon the great and overwhelming popularity which a past renown has conferred upon him, and which has begotten towards him a man-worship altogether unbecoming the citizens of a free republic, he has been emboldened to pursue his passionate and self-willed career, in the idea that the people will sustain him in whatever he chooses to propose. In this spirit he has declared that "he assumes the responsibility of the removal of the deposits"—aiming, by this declaration, to rally the people around him, and to transfer the question of an indefensible and pernicious measure into one of party and personal attachment.

That the bank of the United States having, by a strict and compulsory compliance with the policy dictated to it by the president, conclusively demonstrated the evil consequences of that policy; and from the constrained position which has been forced upon that institution, severe calamity and untold unforeseen disaster having ensued—the responsibility for these evils must fall upon the head of him who assumed the responsibility; and it is but little compatible with the moral courage, which has been claimed for the president, that he should shrink, in the moment of difficulty, from his accountability for the result, and seek to throw that accountability upon the bank. He has indeed declared that much of the disaster now experienced was not only looked for by him, but that it is also in accordance with his wishes. If, however, more distress than he expected has resulted, that fact alone should admonish him to restore the country to its original happy condition, by a magnanimous retraction of his error. The glory of never retracing a step, is both an obstinate and wicked pride, incompatible with the character of a wise and upright statesman.

That THE EXPERIMENT of creating a sound currency, through the instrumentality of associated state banks—in which experiment the president has announced his determination to persist—is one that has heretofore been fully tried and universally deplored: it is an experiment which was then proved, and will be proved again, to be fatal to the public prosperity, and if persevered in will go on redoubling and perpetuating the calamities of the nation. Political wisdom, even more than private, is best conducted by the experience of history. Not less objectionable is the experiment of banishing a mixed paper and

specie circulation, and substituting for it a metallic currency. In such a community as ours, it is a visionary and impracticable expedient; and even if practicable, a mischievous scheme that would be attended with such distress as would speedily cause it to be exploded as a gross absurdity. Whichever, therefore, of these two opposite and incongruous experiments the executive designs eventually to rest upon—whether that of a state bank currency, which must be depreciated by expansion, or that of the precious metals, which must do its mischief by contraction—they are both equally unworthy of a wise government.

That the hitherto prosperous and eminently happy condition of the country rendered all such experiments not only unwise, but unjust; and the attempting them argues a disposition in the executive to trifle with the best and dearest interests of the community. The effect of all measures which tend to embarrass the currency, inasmuch as they operate upon the relations of debtor and creditor, and produce frequent changes in money values, is peculiarly afflictive to the poor and laboring classes. These disorders, by the destruction of credit and confidence that inevitably attends them, deprive labor of its proper reward, drive it from its lawful employments and make sad inroads upon the welfare of every man who subsists by his daily toil; whilst at the same time they prepare a bountiful harvest of profit for those who, free from the cares of earning their subsistence, have capital at hand to take advantage of the wants of the needy. They emphatically make "the rich richer, and poor poorer." The system, therefore, proposed by the president, is conspicuously entitled to be called "the industrious and the laboring man's curse."

II. *Therefore resolved*, For all these reasons, this meeting utterly reprobate the policy lately adopted by the president of the United States, in regard to the removal of the deposits; and they solemnly PROTEST against the exercise of the powers by which he has attempted to effectuate his purpose. And the members of this meeting pledge themselves to use all lawful means within their command to rescue the country from the consequence of this misrule.

III. *Resolved*, That this meeting have full confidence in the good sense, virtue and love of country of their fellow citizens throughout the union, and trust securely in the belief that, as the eyes of the people are opened to the true character of the measures of their public servants, the nation will effectually vindicate the integrity of the constitution in the enforcement of a strict account and due responsibility from those who administer the government.

IV. *Resolved*, That the thanks of this meeting be accorded to *ex. Chambers*, of the senate, and *James P. Heath*, of the house of representatives, for their prompt and zealous co-operation in the views of the signers of the memorial, lately presented by them to congress; and that the grateful acknowledgments of this meeting are due to the delegation whose report has been read this day, for their able and efficient services in the discharge of the duty assigned to them.

V. *Resolved*, That this meeting entirely and unhesitatingly disapprove of the conduct of *Isaac McKim*, esq. one of the representatives from this city; and that they perceive, in his course, a subserviency to the views of the executive, altogether irreconcilable to the exercise of a manly freedom, and incompatible with the duties of the representative of an enlightened and free community—A subserviency that is calculated to surrender the independence of congress at the footstool of executive power—as degrading in the one, as it is dangerous in the other.

VI. *Resolved*, That a committee of thirty-one citizens be appointed by the chairman of this meeting, (of which committee the president of this meeting be chairman), to act as a committee of safety, and that they be authorised to take such measures as they may deem necessary to promote the objects of this meeting.

VII. *Resolved*, That these resolutions be printed in the public newspapers, and that a copy be sent by the secretary to each of the senators and representatives of the state of Maryland in congress.

The question being propounded by the president to the meeting on the adoption of the resolutions, they were carried by an almost unanimous vote, some two or three voices only dissenting.

After this, the meeting adjourned about sundown with three hearty cheers. The chairman then appointed the following gentlemen as the committee of safety of thirty-one, in pursuance to the foregoing resolutions:

William Crawford, jr.	Talbot Jones,
George Brown.	Jacob Albert,
Joseph W. Patterson,	James Wilson,
John B. Howell,	John McKim, jr.
William C. Shaw,	William Hubbard,
George R. Gaither,	Joseph K. Sipleton,
Hugh Birkhead,	W. H. Conkling,
William Grahnm,	Reverdy Johnson,
David Stewart,	John F. Kennedy,
George Rogers,	H. W. Evans,
Samuel D. Walker,	Jonathan Meredith,
Matthew Kelly,	Peter Lenry,
Gen. Wm. McDonald,	James Corner,
Job Smith, jr.	James Biays, jr.
J. V. L. McMahon,	R. D. Burns,
(Signed)	N. BRICE, president.

H. W. EVANS, }  
GEORGE ROGERS, } secretaries.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have, by a moderate computation, about five hundred articles and items of information, remaining on the table, which ought to be inserted or noticed!

The occasional debates which take place in congress on the presentation of petitions, are very interesting, much more so than the regular debates usually are; but we cannot pretend to keep pace with them. We have, however, made some extracts from certain remarks of Messrs. *Webster* and *Clay*, when the memorial of the builders of Philadelphia was offered in the senate.

We publish, at full length, the report of the committee of ways and means of the house of representatives, sustaining the reasons assigned by the secretary of the treasury for removing the public deposits, and intend, in our next, in like manner to offer the dissent of the minority of that committee. Perhaps, these are the only long papers that we shall be required to publish on this subject for some time—but these are of a character which demands a place.

To record the various proceedings had in consequence of the derangement of the currency, &c. is impossible; and even to mention the whole, is impracticable. A large part of the people of the U. States is much agitated, and an extraordinary excitement prevails—and meetings for and against a restoration of the public deposits are yet being held in many places. The latter, we regret to observe, are called with entire reference to party politics, in many cases. Those in favor of the restoration do not make such a discrimination, and are attended by many strong friends of the executive, at different places.

The report of the *Pittsburgh* committee who visited Washington, and waited on the president, has been some time before us. It very closely corroborates the reports of other like committees, and, indeed, goes beyond them in some important respects. It is laid aside for preservation.

A great movement is making in Massachusetts. A petition for the restoration of the deposits had been signed by 6,700 citizens of Boston,\* and it was thought the number would be much increased; and one of the largest meetings ever held at Faneuil Hall was assembled, at which many resolutions of a decided character were passed, one of which appointed a "committee of safety" of thirty. Another appointed a delegation to bear the petition to Washington, the chairman of which is Mr. *Appleton*, late the member of congress from that city.

But neither the excitement, nor the pressure, has yet nearly reached the extent to which both will proceed. Every day adds failure to failure, misery to misery, and reduces the means of the most solvent persons. Many men, as yet, pay their debts by exhausting their fortunes, in sacrifices to preserve their credit! A member of the legislature of Massachusetts lately said in his place that \$2,500,000 had been paid, in that state, for extra interests since the removal of the deposits. We think that this is less than the truth, in a community so eminently commercial as the state named. It is our opinion, derived from several conversations with persons who ought to know, that the daily amount of shavings in Baltimore amounts to 100,000 dollars. It is, of all sorts, more than less that sum. The average is not less than 3 per cent. a month, including brokerage, and other charges, such as in the borrowing of *incurrent money*, &c. and the shaving of payable post checks. The legal rate of interest is the half of one cent. on the dollar, per day—the present rate three cents: 100,000 dollars, at a  $\frac{1}{2}$  per cent. per dollar, is 500 dollars, at 3 per cent. 3,000—*difference* in a month

\*The professions of the signers are added—that they may be found. Of the 6,700 there were 3,200 mechanics, manufacturers and laboring men, 2,300 merchants and traders—the rest of other occupations, professional men, &c.

of 30 days, \$75,000, or, for four months, 300,000 dollars. But the *dealings* in *Baltimore* are not a tenth part of those of *Massachusetts*; and besides, *Baltimore* seems as yet to have suffered less from the pressure than any other place of business east or northward of this city, for our people had been taught caution in the school of adversity, and not yet forgotten their lessons. We then easily believe in the fact stated by the gentleman of *Massachusetts*; and yet there is no dealing people on the face of the earth better able to pay their debts, in ordinary times, than the inhabitants of that industrious and thrifty and economical commonwealth. The scarcity of money, or want of confidence in *Baltimore*, may be gathered from the rates of exchanges. The bills of as good banks, at home, to say the least of them as our own, have these rates—New England bank notes 3 per cent. discount, New York, (country and safety fund) 5, unless of Albany which are at 3. Pennsylvania, even if payable at, or received by the banks of *Philadelphia*, (but not depositable in our own banks), 1 to 2; others, (good banks) 3 @ 5 per cent. District of Columbia  $\frac{1}{2}$  to 1; Virginia 2 per cent. South Carolina 3, North Carolina, Georgia, Louisiana, Alabama, and other states south and west, "no sales," or at from  $7\frac{1}{2}$  to 10 per cent. discount. But the "safety fund" banks, at New York, have a rate of discount that does not exceed  $1\frac{1}{2}$  per cent. if the average amounts to so much—and a good many of them are really at par, in that city, at this time.

The preceding facts are not stated to injure the credit of the banks alluded to, for most of them may be as sound as other banks are; but for the simple purpose of shewing the pressure for present means, with the want of confidence, that prevails in this city.

It is with much regret, and only in a sense of duty, we must add—that on the 8th inst. we sold a note of the *Susquehanna* bridge and bank company, issued by the office in this city, at 10 per cent. discount, and that, on the 13th, we saw them refused by a broker at that rate, when present and getting other notes shaved. They were altogether rejected. But the failure of this institution, though distressing some individuals, cannot have any sensible effect on the Baltimore banks, generally, and their credit ought not to be in the least impaired, from the circumstances mentioned.

[It is said that the redemption of the bills of this bank will soon be commenced, and that the whole issue will be paid. We shall derive much pleasure in stating the fact to the public.]

We have an official statement, and intended to publish it this week, shewing the condition of the bank of the U. States on the 1st October, 1833, and 1st March, 1834, from which we can only give the following summary statement, at present.

	Loans.	Deposites.
October 1, 1833,	60,094,202 93	17,877,298 36
March 1, 1834,	56,157,829 86	9,947,363 54
	3,926,373 07	7,929,934 82
	Circulation.	Specie.
October 1, 1833,	19,128,189 57	10,663,441 51
March 1, 1834,	18,523,189 00	10,385,439 15
	605,000 57	278,002 36

This shows that the reduction of the loans has not been, by upwards of four millions of dollars, as great as the reduction of the deposits, and yet the bank is blamed for reducing the pressure. Money was yet plenty in October last—why then is it scarce now?

Mr. *Chambers* in reply to Mr. *King* of Geo. in the senate of the United States on the 10th inst. (the latter having said that he had heard nothing of distress among the people, or violation of the law by the president, until he heard of them on that floor, &c.) made a reference to

Mr. Duane's letters to the people now publishing, and said that on the 10th of July last, Messrs. Duane and McLane "sounded in the president's ear the warning voice of caution, and foretold, with prophetic accuracy, the results of his mischievous experiment."

Mr. Duane's letter to the president of the 10th of July, (very recently published), plainly says that the removal of the deposits would be regarded as an "extreme and arbitrary measure,"—and he also, with wonderful certainty, foretold the deranged state of the currency and pressure on the people, that would follow it. No man now could describe the existing state of things more clearly than Mr. Duane predicted them, in his formal letter to the president of July 10, 1833.

The "Globe" of Monday last asserted, as on the authority of Mr. Taney, that the statement made by the Baltimore committee of the conversation of a part of that committee with him was misrepresented; on which Messrs. William Crawford, jr. George Brown and Joseph W. Patterson (the other gentleman who waited on Mr. Taney, Mr. Gaither, being absent) addressed a note to Mr. T. asking whether the editor of the "Globe" had his (Mr. T.'s) authority for the assertion that he had made; and, receiving no answer, they published their note to Mr. T. on Thursday last, affirming, over their own proper signatures, the accuracy of their statement. And yesterday morning there was published a long private letter of Mr. Taney to a gentleman of Baltimore, dated on the 10th, in which he observes, "I cannot undertake to say whether I did or did not use the words imputed to me. But if they were used they were applied to the general ruin which the mercantile community should willingly bring on itself by creating a panic for party purposes." This is sufficient for a general view of the state of this matter. We cannot go into particulars.

It is probable that the most animated political contest which has happened in the state for many years will take place in Virginia, in the ensuing month, when the members of the legislature are to be chosen. The strongest men, on both sides, are being brought out, and each party will exert itself to the utmost. It is said that both of the great parties in the legislature will publish an address to the people. Parties in this state seem to have nearly settled down into a Jackson and Van Buren party, and an anti-Jackson and anti-Van Buren party; all minor questions being merged in the success or defeat of the individuals named.

In the city of New York, the election of charter or corporation officers, takes place on the second Tuesday of next month. These are very important, because of the disbursements and patronage of the government of that great city. The "independent republicans," are making much preparation to encounter the "Tammanies"—and, warmed with the hope of success, though the odds have been so much in favor of the latter, the former are rallying their strength and organizing themselves with all diligence. While the *Evening Post* charges it upon the "independent republicans" that some individuals are giving from 100 to 1,000 dollars to carry on the business of the election, the *Evening Star* asserts that all persons in public office have been ordered to pay up an assessment, at a rate equal to the highest that has ever been imposed upon them; which we have heretofore heard was ten per cent. on the whole amount of a year's salary or fees!

At a meeting in favor of the bank, held in Vermont, Mr. Meech, late "Jackson" candidate for governor, presided—and at another held at Princeton, N. J. John C. Schenck, esq. recently one of the most distinguished friends of the administration in that state, took a leading part. Such things are of frequent occurrence—and so they should be. It is an act of great violence to force a consideration of the state of the currency, into the transient and turbulent ups and downs of political parties.

Hundreds of new meetings of the people have just been held or called to be held, in different parts of the union, but most numerously in New Jersey, Pennsylvania and Virginia, on account of the distressed state of the country. On the 20th inst. there is to be a grand meeting of

the people of the city and county of Philadelphia, at which it is recommended that the different trades shall appear with their banners and badges—and that the store-keepers close their stores, for the afternoon.

Gov. Wolf's very sudden change of opinion, causes much speculation in Pennsylvania. The Pittsburgh committee, who called at Harrisburgh, on their way to Washington, a short time ago, reported that his former good opinion of the bank was unchanged.

On the 8th inst. Baltimore bank notes were at  $\frac{1}{2}$  per cent. discount at Pittsburgh—and on the same day Pittsburgh bank notes were at 3 per cent. discount at Baltimore—both being equally good, at home! The time between these cities is less than 3 days, or, going and returning, with one day to make the exchange, say seven days, or exactly a half per cent. per day on money between the two places—or 182 $\frac{1}{2}$  per cent. per annum! This is a pretty state of things—but it prevails in all parts of the union. There was, and, perhaps, yet is, a tariff of exchange even between Albany and Troy, five miles apart, the banks in each being equally good! But the condition of things within the state of New-York seems to be generally improved.

We observe that the somniferous paper read by the honorable\* and "honest" Isaac Hill in the senate chamber, (but not to the senate, for friends and enemies "cleared out" to avoid the punishment of hearing it), has been published in the "Globe" as Mr. Hill's speech, into which the writer or reader has introduced some extracts from the REGISTER of 1820, in relation to the bank. "Hezekiah Niles" sees not one word in the honorable and "honest" gentleman's quotation that he will retract—for every word had respect to then existing facts, and what seemed to be the manifest intentions of those who then had charge over the affairs of the bank. We just take the liberty, however, to say, that in his comments on the extract presented, the honorable and "honest" gentleman says some things that are not true. But "that's nothen," as major Downing would say—and "some things are so despicable," as Mr. Senator Clayton said, that we must pass them over.

As the honorable and "honest" senator is pleased with "extracts," we shall give one or two out of many in our possession, which we find marked as from the *N. Hampshire Patriot* of 1824—and we guess that they are "genuwine"—for they have been repeatedly published as such, and we never heard their verity denied:

"General Jackson, in the state of Pennsylvania, now finds those only opposed to his election, who defended his honest but indiscreet zeal, when he trampled on the civil authority, by arresting the United States' judge, and other citizens at New Orleans, and when he seized and executed Arbuthnot and Ambrister, in Florida; he has there changed friends, combining what with the honest portion of the community who gaze with admiration at his military prowess, what with a portion of men ambitious for place and preferment, and what with THAT PARTY who care not who they support, so that they make mischief, AND BREAK UP THE REPUBLICAN PARTY, a host in that state, which will probably outnumber the friends of any other presidential candidate."

"We love our civil rights and privileges too well to place Jackson in the presidential chair. We do not like to be hanged without 'rhyme or reason.'"

Now, will the honorable and "honest" senator, who has "waxed fat" on mail contracts and heavy feedings at the public crib, stand by what he said, as we are ready to stand by what we said? The administration of the bank when placed in new hands, relieved it from those causes for censure which we thought it well deserved—but how is it with the facts urged by Mr. Hill against general Jackson? Have Arbuthnot and Ambrister, for example, been restored to life, as the bank, under its new

\*We have italicized the word "honorable" because that the "New Hampshire Patriot" of the 3d May, 1830, for instance, had his name 138 times, in different essays, and often with the prefixure; and in two columns of that paper of the 10th of the same month, his name was used 42 times, several of which were in flaming capitals, and, perhaps, all manufactured by his own honorable and "honest" self.

direction, was reformed?—and proceeded to accomplish the purposes for which it was designed, in the establishment of a sound and wholesome currency? We prefer not these things against the president—but refer to them for the sole benefit of the honorable and “honest” senator—who said more against gen. Jackson, personally, in the little paragraphs quoted, than is contained in all the forty-five capacious volumes of the REGISTER, as written by us—there is more pure malignity and caueus-slavish abuse in it, than we ever extended towards an individual, (for we seldom indulge at all in personalities, unless in the *lex talionis*); but Isaac Hill cannot complain that we have “returned his compliment”—extract against extract.

On Monday next it is probable that Mr. Webster will bring out his project concerning the bank—preferring a renewal of its charter, with certain modifications. A general discussion in the house on the report of the committee of ways and means (inserted in the present sheet), will also soon be going on.

A gentleman of South Carolina, remitting his payment for the REGISTER, says, “I am the only union man in this village, and have often been insulted by being told that it was because I read old Niles’ paper. I fear, and am sorry to say that more has been done [by “the government”], in the last four months to promote nullification, than ever before was done for it.”

The National Intelligencer of the 12th says—The president yesterday re-nominated to the senate the three persons lately rejected as government directors of the bank of the United States. The reasons which he assigned to the senate for this unusual step, if any, were communicated in confidence, and are of course unknown to us.

Mr. Leigh the new senator from Virginia, made his first speech on the 12th inst. It was a brief one—of some 30 or 40 minutes; but is said to have fully sustained the high reputation which he has long borne at home, and had preceded him to the senate. What a constellation of talent is now collected in that body, though it contains some very small men!

#### ITEMS.

The frigates United States and Constellation suffered much damage in a severe gale, on the 14th Dec. and were in great danger of being lost, but they got into Milo, where they were repaired, and had since arrived at Malta on their way to Mahon.

It does not appear that the difficulties in Alabama are yet adjusted. It is said that the removal of the white settlers have been commenced by the U. S. officers.

At last, a representative has been chosen in the 9th congressional district of Massachusetts. Mr. Jackson, anti-masonic, has succeeded by a small majority of all the votes; and, as on all leading questions that has been or are before congress, Mr. J. declared that he coincided in opinion with gen. Dearborn, the late representative—many of the friends of the latter, to end the contest at a crisis so important, cast their votes for Mr. Jackson. There are yet three vacant seats in congress—that which is contested by Messrs. Letcher and Moore, the one made vacant by the decease of Mr. Bouldin, of Va. and the other by the resignation of Mr. Bullard, appointed a judge of the supreme court of Louisiana.

We much regret to hear that the cholera has reappeared in some parts of the west, bordering on the Mississippi.

There have recently been several great fires at New York. This city has very many buildings fair to the eye, like “painted sepulchres,” but made up of the most combustible materials within, as well as many frame edifices, built in a hurry, to accommodate the rush of population—and to have a dozen or two of these burnt down at a time, is no extraordinary affair, in the want of water to extinguish the flames, let the valuable firemen do all that they can. About 50 families, of the poorest classes, were dislodged by one fire on the evening of the 10th instant—chiefly natives of Ireland.

The Corkonians and United Irishmen, laborers on the canal, had a terrible fight at New Orleans, in which several were killed and wounded, when the riot was sup-

pressed and many of the rioters arrested to answer for it. We wish that these people would leave their abominable local hatreds of each other, as well as their much cherished desire of appealing to force, behind them.

LOWER CANADA. The discussions between the colonial legislature and the governor-general Aylmer and the royal government at home, have risen to a great height. Early in last month, a set of resolutions, nearly one hundred in number, was moved, forming a sort of declaration of rights of the people of Canada, and concluding by proposing to expunge from the journals of the house the despatches of Mr. Stanley, the British colonial secretary, and the impeaching of the governor-general. They were brought up for discussion on the 15th, ult. and debated all that day and the next. All substitutes were rejected by overwhelming majorities, and late in the night of the 16th, fifty-five of the resolutions were agreed to without opposition. The whole probably passed as reported. The resolutions adopted contain a call for conventions of the people. The results of this bold attitude which the house have assumed, must be important to the future relations of the colony with Great Britain.

In one of the resolutions it is significantly remarked, that the population of the United States will, in twenty years, be equal to that of Great Britain, and that of the British North American colonies will, in the same period, be equal to that of the United States when they declared their independence.

Upper Canada is also in a state of high excitement.

Two or three great nests of counterfeiters of bank notes have been broken up. The extent to which this business was proceeding, is truly astonishing. The increase of banking institutions will give it a new impetus.

#### FOREIGN NEWS.

From London papers to the 28th and Paris to the 31st January.

#### FRANCE.

A duel was fought on the 29th January, between gen. Bugeaud and M. Dulong, two members of the chamber of deputies. The seconds of gen. B. were gen. Kuminny and col. Lamy, and those of the latter, M. George Lalayette and col. Bacot. The duel resulted in the death of M. Dulong. There had been several other duels between students of medicine, one of which also proved mortal to one of the parties.

The French journals are equally severe with the English, in regard to the conduct of the president of the U. States on the subject of the currency of the country. They say that no constitutional, or absolute monarch would have dared to commit such an outrage upon the laws.

#### SPAIN.

Martinez de la Roza had been nominated to succeed M. Zea, the prime minister. This nomination gives universal satisfaction and the best anticipations are indulged in for the success of the monarchy under his guidance. The national guard had been reorganized, the government reserving to itself the choice of the officers. The entire military force of the country is to consist of 120,000 men.

The most important feature in the present aspect of Spain, is the contemplated re-organization of its government. The cortes, it is understood, will not be convoked; but instead of a representative government established, consisting of two branches. Two-thirds of the upper branch is to consist of the nobility, and one-third of the higher orders of the clergy. The lower branch is to consist of 250 members, elected from the cities, towns and villages.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

##### SENATE.

March 7. Mr. McKean presented the petition of 2,500 or 3,000 citizens of Lancaster county, Pennsylvania, praying for a return of the public deposits to the bank of the U. States. On which Mr. Webster rose and expressed much satisfaction at this movement of the agriculturalists of that rich and populous county. This memorial came from the agricultural interest, and he said—it was the “real lion of the country.”

Mr. Ewing offered a series of searching resolutions as to the condition of the post office department.

Mr. McKean presented the petition of 613 citizens of Marietta, Pa. praying for a restoration of the deposits.

Mr. Clayton offered the following resolutions, which lie one day on the table:

Resolved, That the postmaster general be directed to inform the senate, how many, and what postmasters, clerks and other agents in his department, have been by him removed from office, since the 3d day of March, 1829; also, to state the names of those who have been appointed in lieu of the postmasters so removed, their places of residence, and to furnish the original letters, or copies thereof, addressed to him as postmaster general, communicating the political character of those removed, or those who have been appointed to supply their places.

*Resolved*, That the postmaster general be directed to communicate to the senate a copy of any and every circular, or order, to his deputies, directing them, or any of them, to transmit to his department the names of the newspapers taken at their respective offices, or the names of the subscribers to such newspapers; and generally to state whether his department receives quarterly returns of newspapers taken in the United States, and the names and places of residence of their subscribers.

Mr. Webster rose, and addressed the senate as follows:

I rise, sir, to perform a pleasing duty. It is to lay before the senate the proceedings of a meeting of the building mechanics of the city and county of Philadelphia, convened for the purpose of expressing their opinions on the present state of the country, on the 24th of February. This meeting consisted of *three thousand persons*, and was composed of carpenters, masons, brick-makers, bricklayers, painters and glaziers, lime burners, plasterers, lumber merchants and others, whose occupations are connected with the building of houses. I am proud, sir, that so respectable, so important, and so substantial a class of mechanics, have entrusted me with the presentation of their opinions and feelings, respecting the present distress of the country, to the senate. I am happy if they have seen, in the course pursued by me here, a policy favorable to the protection of their interest, and the prosperity of their families. These intelligent and sensible men, these highly useful citizens, have witnessed the effect of the late measures of government upon their own concerns; and the resolutions which I have now to present, fully express their convictions on the subject. They propose not to reason, but to testify; they speak what they do know.

Mr. President, the members of this meeting have not transmitted their proceedings by mail, nor have they rested satisfied with merely causing them, in any way, to reach the two houses of congress, and to be read and disposed of in the ordinary manner. They have forwarded them by a committee of *thirty persons* of their own body, and those thirty persons are now within the walls of the senate. I wish, sir, that honorable senators would converse with these gentlemen; I wish they would use the opportunity of satisfying themselves of their intelligence, their fairness, their freedom from the influence of all oblique or improper motives, and the unquestionable truth of the existence of that distress, which they come here to represent. Such a communication would convince honorable members, that there is no pretence, no fiction, no exaggeration, in the whole matter; but that all their words are words of truth and soberness.

[Mr. Webster then urged the necessity of action to relieve the distresses of the people—and said]—

Sir, listen to the statement; hear the facts. The committee state, sir, that *eight thousand persons* are ordinarily employed in building houses, in the city and county of Philadelphia; a number which, with their families, would make quite a considerable town. They further state, that the average number of houses, which this body of mechanics has built, for the last five years, is *twelve hundred houses* a year. The average cost of these houses is computed at *two thousand dollars* each. Here is a business, then, sir, of *two millions four hundred thousand dollars* a year. Such has been the average of the last five years. And what is it now? Sir, the committee state that the business has fallen off *seventy-five per cent.* at least; that is to say, that, at most, only one-quarter part of their usual employment now remains. This is the season of the year in which building contracts are made. It is now known what is to be the business of the year. Many of these persons, who have heretofore had, every year, contracts for several houses on hand, have this year no contract at all. They have been obliged to dismiss their hands, to turn them over to any scraps of employment they could find, or to leave them in idleness, for want of any employment.

[Mr. W. then went into some detail] to shew the former operations of the builders of houses, which were almost totally destroyed by the "experiment" now going on; and then said]—

These, sir, are plain matters of fact, and they are manifestly the results of the measures of government; and have not these mechanics, then, a right to complain. Ought they to hold their tongues, and starve, in order to enable the secretary to try his experiment? Are they to be the willing victims of such fantastical and arrogant schemes? No, sir, that is not their notion of patriotism and duty. They think the government was established for them, and the rest of the people of the United States, for their protection, security and happiness. They think it not a subject for the practice of every raw conceit, every presumptuous theory, every impulse of arrogant and self-sufficient love of change. Sir, they are not the dupes of the secretary's experiment; and, if they can help it, they do not intend to be its victims. They know full well in what purpose these measures originated, which have since obtained the name of the "experiment." They think they have a right to demand of congress not to sanction such purposes, to their ruin. As American citizens, they demand the shelter of the laws; as tax-payers to government, they demand the protection of government; as industrious citizens, they demand security for their industry; and they protest, solemnly protest—in their name, sir, in their behalf, in their presence, I now enter their protest—against these unnecessary and wanton measures, which destroy their property, break up their employments, and reduce them and their children to want and beggary!

Mr. Webster concluded as follows:

Sir, the agitations of the country are not to be hushed by authority. Opinions, from however high quarters, will not quiet them. The condition of the nation calls for action, for measures, for the prompt interposition of congress; and until congress shall act, be it sooner or be it later, there will be no content, no repose, no restoration of former prosperity. Whoever supposes, sir, that he, or that any man, can quiet the discontents, or hush the complaints of the people, by merely saying, "peace, be still!" mistakes, shockingly mistakes, the real condition of things. It is an agitation of interests, not of opinions; a severe pressure on men's property and their means of living, not a barren contest about abstract sentiments. Even, sir, the voice of party, often so sovereign, is not of power to subdue discontents and stifle complaints. The people, sir, feel great interests to be at stake, and they are raising themselves to protect those interests. They consider the question to be, whether the government is made for the people, or the people for the government. They hold the former of these two propositions, and they mean to prove it.

Mr. President, this measure of the secretary has produced a degree of evil that cannot be borne. Talk about it as we will, it cannot be borne. A tottering state of credit, cramped means, loss of property and loss of employment, doubts of the condition of others, doubts of their own condition, constant fear of failures and new explosions, an awful dread of the future—sir, when a consciousness of all these things accompanies a man, at his breakfast, his dinner and his supper; when it attends him through his hours, both of labor and rest; when it even disturbs and haunts his dreams, and when he feels, too, that that which is thus quailing upon him is the pure result of foolish and rash measures of government, depend upon it he will not bear it. A deranged and disordered currency, the ruin of occupation, distress for present means, the prostration of credit and confidence, and all this without hope of improvement or change—a state of things which no intelligent people can long endure.

Mr. Clay rose and said: I have been requested by the committee from Philadelphia, charged with presenting the memorial to congress, to say a few words on the subject; and although after the ample and very satisfactory exposition which it has received from the senator from Massachusetts, (Mr. Webster), further observations are entirely unnecessary, I cannot deny myself the gratification of complying with a request, proceeding from a source so highly worthy of respectful consideration.

[Mr. C. then proceeded to show the effect of the measures of the government on the state of the country, and offered an opinion that the value of property in the United States had been reduced by them, in the great amount of four hundred millions of dollars,—a sum which would be less than half the real amount, were the property of the people placed in the market, and to be sold, as we believe. See.]

Mr. Clay next asked—

And what is the remedy to be provided for this most unhappy state of the country? I have conversed freely with the members of the Philadelphia committee. They are real, practical, working men; intelligent, well acquainted with the general condition, and with the sufferings of their particular community. No one, who has not a heart of steel, can listen to them, without feeling the deepest sympathy for the privations and sufferings unnecessarily brought upon the laboring classes. Both the committee and the memorial declare that their reliance is, exclusively, on the legislative branch of the government. Mr. President, it is with subdued feelings, of the profoundest humility and mortification, that I am compelled to say that, constituted as congress now is, no relief will be afforded by it, unless its members shall be enlightened and instructed by the people themselves. A large portion of the body, whatever may be their private judgment upon the course of the president, believe it to be their duty, at all events safest for themselves, to sustain him without regard to the consequences of his measures upon the public interests. And nothing but clear, decided and unequivocal demonstrations of the popular disapprobation of what has been done, will divert them from their present purpose.

But there is another quarter which possesses sufficient power and influence to relieve the public distresses. In twenty-four hours, the executive branch could adopt a measure which would afford an efficacious and substantial remedy, and re-establish confidence. And those who, in this chamber, support the administration, could not render a better service than to repair to the executive mansion, and, placing before the chief magistrate the naked and undignified truth, prevail upon him to retrace his steps and abandon his fatal experiment. No one, sir, can perform that duty with more propriety than yourself. [The vice president] You can, if you will, induce him to change his course. To you, then, sir, in no unfriendly spirit, but with feelings softened and subdued by the deep distress which pervades every class of our countrymen, I make the appeal. By your official and personal relations with the president, you maintain with him an intercourse which I neither enjoy nor covet. Go to him and tell him, without exaggeration, but in the language of truth and sincerity, the actual condition of his bleeding country. Tell him it is nearly ruined and undone by the measures which he has been induced to go in operation. Tell him that his experiment is operating on the nation like the philosopher's experiment upon a convulsed animal, in an exhausted receiver, and that it must expire, in agony, if he does not pause, give it free and sound circulation, and suffer the energies of the people to be revived and restored. Tell him that, in a single city, more than sixty bankruptcies, involving a loss of upwards of fifteen

millions of dollars, have occurred. Tell him of the alarming decline in the value of all property, of the depreciation of all the products of industry, of the stagnation in every branch of business, and of the close of numerous manufacturing establishments, which, a few short months ago, were in active and flourishing operation. Depict to him, if you can find language to portray, the heart-rending wretchedness of thousands of the working classes cast out of employment. Tell him of the tears of helpless widows, no longer able to earn their bread, and of unclad and unfed orphans who have been driven, by his policy, out of the busy pursuits in which but yesterday they were gaining an honest livelihood. Say to him that if firmness be honorable, when guided by truth and justice, it is intimately allied to another quality, of the most pernicious tendency, in the prosecution of an erroneous system. Tell him how much more true glory is to be won by retracing false steps, than by blindly rushing on until his country is overwhelmed in bankruptcy and ruin. Tell him of the ardent attachment, the unbounded devotion, the enthusiastic gratitude, towards him, so often signally manifested by the American people, and that they deserve at his hands better treatment. Tell him to guard himself against the possibility of an odious comparison with that worst of the Roman emperors, who, contemplating with indifference the conflagration of the mistress of the world, regaled himself during the terrific scene in the throng of his dancing courtiers. If you desire to secure for yourself the reputation of a public benefactor, describe to him truly the universal distress already produced, and the certain ruin which must ensue from perseverance in his measures. Tell him that he has been abused, deceived, betrayed, by the wicked counsels of unprincipled men around him. Inform him that all efforts in congress to alleviate or terminate the public distress are paralyzed and likely to prove totally unavailing, from his influence upon a large portion of the members, who are unwilling to withdraw their support, or to take a course repugnant to his wishes and feelings. Tell him that, in his ho-som alone, under actual circumstances, does the power abide to relieve the country; and that, unless he opens it to conviction, and corrects the errors of his administration, no human imagination can conceive, and no human tongue can express, the awful consequences which may follow. Intreat him to pause, and to reflect that there is a point beyond which human endurance cannot go; and let him not drive this brave, generous, and patriotic people to madness and despair.

Mr. President, unaffectedly indisposed, and unwilling as I am to trespass upon the senate, I could not decline complying with a request addressed to me by a respectable portion of my fellow citizens, part of the bone and sinew of the American public. Like the senator from Massachusetts, who has been entrusted with the presentation of their petition to the senate, I found them plain, judicious, sensible men, clearly understanding their own interests, and, with the rest of the community, writhing under the operation of the measures of the executive. If I have deviated from the beaten track of debate in the senate, my apology must be found in the anxious solicitude which I feel for the condition of the country. And, sir, if I shall have been successful in touching your heart, and exciting in you a glow of patriotism, I shall be most happy. You can prevail upon the president to abandon his ruinous course; and, if you will exert the influence which you possess, you will command the thanks and the plaudits of a grateful people.

The memorial was then referred.

After other business, Mr. Clay rose to present the four resolutions that follow, and pronounced some strong observations in support of them—which cannot be made room for:

1. *Resolved*, That the constitution of the United States does not vest in the president power to remove at his pleasure officers under the government of the United States, whose offices have been established by law.

2. *Resolved*, That, in all cases of officers created by law, the tenure of holding which is not prescribed by the constitution, congress is authorised by the constitution to prescribe the tenure, terms, and conditions on which they are to be holden.

3. *Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of providing by law that in all instances of appointment to office by the president, by and with the advice and consent of the senate, other than diplomatic appointments, the power of removal shall be exercised only in concurrence with the senate; and, when the senate is not in session, that the president may suspend any such officer, communicating his reasons for the suspension to the senate at its first succeeding session; and, if the senate concur with him, the officer shall be removed; but, if it do not concur with him, the officer shall be restored to office.

4. *Resolved*, That the committee on the post office and post roads be instructed to inquire into the expediency of making provision by law for the appointment, by and with the advice and consent of the senate, of all deputy postmasters, whose annual emoluments exceed a prescribed amount.

March 10. Mr. *Silbee* presented the resolutions of the legislature of Massachusetts in relation to the currency and removal of the deposits; and, at considerable length and with much ability, set forth the deranged state of business in consequence of the proceedings of the executive of the United States. He said that commission merchants declined not only the usual guaranty on sales, but refused to make advances. He mentioned the case of a cargo from the south worth 3,000 dollars, subject to a freight of 500, in cash, which was surrendered to the ship owner that he might make his freight out of it. He

said that he daily heard of failures, and that 70 had taken place in one late flourishing town in Massachusetts. He spoke of the manufacturers and other working people discharged. He said that six months ago, the legal rate of interest for large sums of money could not be obtained, though now worth from 3 even to 5 per cent. per month! [We wish that we could make room for this speech of a practical man.]

Mr. *Webster* followed, and observing that his colleague had left him little to say concerning the resolutions, &c. took the opportunity to speak of the necessity of rechartering the bank, for which the committee of finance had agreed upon a plan to be laid before the senate on Monday next; and he gave it out as his opinion that congress ought not to adjourn until some measures were adopted to relieve the people.

His idea was that the present bank, with some few modifications of its charter, should be continued for a short time, and so as to leave the question open as to the establishment of a new one; or to renew the charter for a number of years with other modifications, among them to prevent the issue of notes of a less denomination than of 20 dollars, &c. But as we shall have the plan next week, the want of room will excuse us from giving a report of his speech now.

Mr. *Forsyth* followed and expressed his surprize at the idea thrown out, that congress would sit until the distresses of the country were relieved, by the gentleman's plan for rechartering the bank. Would the senate compel the other house and the executive to accede to his proposition? He expressed an opinion favorable to a bank, if the rate of interest was fixed at 5 per cent. and the power of the state governments over it were duly secured, and the power of the general government over it was made greater, &c.

Mr. *Webster* replied at considerable length, and the debate was continued, by Messrs. *King*, of Geo. *Chambers*, *Forsyth* and *Webster*.

Mr. *Bell* had leave of absence for three weeks. Adjourned.

March 11. Mr. *Prenlist* presented a memorial from Burlington, Vt. praying for a restoration of the deposits, and spoke at considerable length on the subject at large; he was followed by Mr. *Swift*, who described the derangement of business in Vermont, and the distress that prevailed, aggravated, as it is, by the failure of the grain crops last season.

Mr. *Clay* took an opportunity to correct certain things as to the petition from Troy for a restoration of the deposits. He referred to Mr. *Wright*, who, had said, on the information of a member of the other house that only 100 of the signers were friendly to the administration. Mr. *Clay* read a letter dated the 6th instant, saying that by a critical examination, recently made, there were at least 400 signers who are, or have been administration men, &c. Mr. *Wright* explained—he had not made the remark on his own knowledge, and spoke warmly as to the integrity of his informant, but supposed that some mistake may have been made, &c.

Mr. *Fredinshayen* presented the petition of 454 citizens of Paterson, N. J. praying for a return of the deposits, on which occasion he offered a brief statistical state of the business of that town, and said that 5,130 spindles, which had annually consumed 2,200,000 lbs. of cotton, were stopped, owing to the pressure of the times. Mr. F. also presented a memorial from Paterson and its vicinity, signed by 600 persons, approving of the removal of the deposits—and a long debate followed.

Other business attended to will appear in its course.

March 12. Mr. *McKeen* presented three memorials, one from a meeting of tin-plate workers, sheet iron workers and copper-smiths, of the city of Philadelphia, one from the citizens of the borough of Southwark, Pennsylvania, and the other from a meeting of citizens of Carlisle, in the same state, on the subject of the pecuniary embarrassments of the country, which the memorialists ascribe to the removal of the deposits from the bank of the United States, and severally praying for their restoration. The memorialists, Mr. *McK.* said, so far as he was able to ascertain, were high respectable, and consisted of persons without distinction of party. He asked that the memorials be read, referred to the committee on finance and printed; which was done accordingly.

Mr. *Leigh* presented the memorial of sundry merchants, mechanics, professional men and others, of the city of Petersburg, in the state of Virginia, on the subject of the pecuniary embarrassments of the country; which the memorialists ascribe to the removal of the public deposits from the bank of the United States; and praying congress to take such measures as will afford them redress.

Mr. *Leigh* accompanied the presentation of the memorial with some appropriate remarks; after which, he asked that the memorial be read, referred to the committee on finance and printed.

The memorial having been read, a debate ensued, in which Messrs. *Forsyth*, *Leigh* and *King*, of Georgia, took part; when the question was taken, and the memorial referred, *nem. con.* to the committee on finance, and ordered to be printed.

The senate then resumed the consideration of the special order, being the resolutions of Mr. *Clay*, and the report of the secretary of the treasury on the subject of the removal of the public deposits from the bank of the United States; when

Mr. *Talmadge*, who was entitled to the floor, commenced his remarks, and addressed the senate until three o'clock; and then the senate adjourned.

March 13. Mr. *Webster* presented a memorial numerously signed by the people of Brooklyn, New York, and also the pro-

ceedings of a public meeting of the citizens, asking for a restoration of the public deposits. Mr. W. read one of the resolutions of the meeting, containing some strong remarks in support of the constitutionality of a bank of the United States.

Mr. Sprague presented two memorials—one from Eastport and the other from Lubec, Maine, praying for a restoration of the deposits, &c.

Mr. Tyler presented two memorials, from the towns of Fal-mouth and Fredericksburgh, and the proceedings of a meeting held in Accomack, Virginia, with reference to the public distress, and praying for a restoration of the deposits. A debate ensued, in which Messrs. Tyler, Brown, Leigh, Forsyth, Webster, Preston and Ewing took part.

The other business attended to will sufficiently appear in its progress. Adjourned.

#### HOUSE OF REPRESENTATIVES.

*Friday, March 7.* The whole of this day was given up to the consideration of private or local business, and a large number of bills for the relief of individuals were ordered to be engrossed or passed.

Adjourned until Monday.

*Monday, March 10.* This being the weekly day for presenting memorials, &c. and the consideration of the resolutions of the Virginia legislature, presented last Monday, being the morning business first in order—

Mr. Gholon, who had the floor, was about to address the house, but yielded his right for the present, at the request of

Mr. J. Q. Adams, who asked leave to present certain resolutions of the legislature of Massachusetts on the subject of the removal of the deposits, stating, that, if the leave were granted, he should, in accordance with the rule or understanding in such cases, abstain from any remarks on the subject of the memorial, and take some other opportunity of expressing his sentiments on it.

Mr. Gholon, (who was entitled to the floor on the Virginia memorial, lying over from last Monday) signified his assent to Mr. A.'s request; but, objection being made by some other member, the leave was not granted.

Mr. Gholon took the floor, and addressed the house, in extenso, in support of the resolutions of his state, and particularly in reply to Mr. Patton's argument on the other side.

Mr. Moore, of Va. followed, in an animated speech, on the same side.

Mr. Pinckney, of S. C. next addressed the house, also in support of the resolutions, and continued to speak until half past three, when he yielded to a motion for adjournment.

All three of these gentlemen went occasionally into very severe animadversion upon the course of the administration in reference to the deposits.

The house then adjourned.

*Tuesday, March 11.* Many bills of a private nature were reported, and a great deal of local or private business attended to.

Mr. Adams, of Mass. asked the consent of the house to present certain resolutions of the legislature of his state. Objection being made, he moved to suspend the rules for this purpose.

Mr. R. M. Johnson suggested that, if the motion were made general, so as to admit of the presentation of other resolutions and memorials, it would be more likely to be generally voted for.

Mr. Adams consented so to modify his motion.

The question being twice put, and no quorum voting, he withdrew his assent to modify, and renewed the motion in its original form.

The question being once more put, it was negatived—ayes 70, noes 56, (not two-thirds.)

Mr. Archer offered, by leave, the following resolution, which was agreed to.

*Resolved,* That the committee on foreign affairs be instructed to inquire into the expediency of purchasing the library and the official private manuscript papers of gen. Washington, to be deposited in the department of state.

The army appropriation bill was read by sections. In the course of the proceedings—

Mr. Everett moved an additional clause to the bill, including \$1,825 for surgeon Beaumont, in performing a series of experiments on the stomach of a wounded soldier, in illustration of the process of digestion. The appropriation had been recommended by the surgeon general. Allowances were made to officers of the line for extra services, but this could not be done to surgeons unless by express provision.

Some objection being made by Mr. Polk and Mr. Jones, of Geo. Mr. Everett said, that this soldier had been placed under the care of surgeon Beaumont; and he had expended upwards of \$5,000 out of his own pocket, in the process of measures by which his life had been saved and prolonged. He might, no doubt, have left the man to die, but because he acted, first from humanity, and then from the love of science, and had thereby succeeded, not only in saving his patient, but in presenting the most curious and valuable results in aid of the great objects of the surgical department of the army, was he to be refused such a pittance as this, when it was recommended by the head of the surgical staff?

Mr. McDuffie supported Mr. E.'s proposition. Mr. Clifton expressed his hearty concurrence in these views. The house voted thousands upon thousands to reward persons who had killed men; but in this case, not only had the life of a man been preserved, but facts discovered and plans suggested, which might

lead to the saving of millions of human lives. Mr. Jones still objected, and said, this surgeon was paid by the month, and had fixed rations. Was not all he had done included in the duty for which he was paid?

Mr. Crockett rose. Gentlemen objected to paying for experiments; but in these days, when we were trying experiments on the currency, why not try experiments on the sciences? Though, for his part, he thought it was hardly necessary to make any appropriations at all, for this, or any thing else. He had been almost ready to go against all appropriation bills, till he knew where the money was. If one man in the country could take all the money, what was the use of passing any bill about it? It was a monkey—it was childish, to sit there and appropriate at all. If one man could take the money, and put it where the law had not placed it, how did the house know where it was? How could they tell but it might be in his royal majesty's pocket, or in the pocket of that imp of famine, his 4th auditor. The money was not where the law put it, and who knew where it was? He would vote for one experiment, but he should for certain vote against the other.

The question was now put, and the amendment proposed by Mr. Everett agreed to—ayes 80, noes 53.

Other amendments being made, the committee rose, reported progress and had leave to sit again. Adjourned.

*Wednesday, March 12.* This being the day to which the consideration of the report of the committee of ways and means, on the deposit question, and also of the report from the minority of that committee, had been deferred, and this subject being, therefore, the order of the day—

Mr. Polk rose and observed, that, although the two reports were printed, and on the tables of members, yet the appendix to the committee's report, containing certain documents referred to in it, were not yet on their tables; and, as he considered these as essential to a due consideration of the report itself, he moved that the subject be further postponed until Tuesday next.

On this a very long debate took place—many distinguished gentlemen taking part in it. The differences of opinion were chiefly as to the order of proceeding, and the disposition of many bills already before the house. Mr. Polk's motion to postpone was adopted.

Mr. Adams, of Mass. once more asked permission of the house to present certain resolutions of the legislature of that state.—Objections being made, he moved to suspend the rule; but the house refused to do so.

Mr. Polk then made a similar request, for leave to introduce a resolution referring to the subject which had been postponed.

Mr. Adams objecting,

Mr. Polk asked the suspension of the rule; which was carried—ayes 119, noes 47.

Mr. P. thereupon offered a resolution, in the form of an order, that the report of the committee of ways and means on the subject of the secretary of the treasury's letter, &c. be the order of the day at 1 o'clock on every day, except Saturdays.

Mr. Polk then moved that the rule which requires such a resolution to lie on the table for one day be suspended, and that it be considered at this time.

After some conversation, this was carried—ayes 115, noes 56. So the house proceeded to consider the order.

The debate was renewed with much spirit. Finally, Mr. Polk's proposition was agreed to, and the house adjourned.

*Thursday, March 13.* After some other business—

Mr. Burges moved to recommit the report of the committee of ways and means to that committee, with instructions to report that the reasons of the secretary for removing the deposits were insufficient.

Mr. Burges addressed the house at length in support of the motion he had made, and continued to speak till the expiration of the morning hour; when the residue of his remarks was cut off by the house passing to the order of the day, (which was the commutation pension bill). Before the order, however, was proclaimed from the chair.

Mr. Polk moved to go into committee of the whole on the state of the union, with a view to take up the appropriation bills.

Which being agreed to, the house, in committee, took up the military appropriation bill, and finally passed through the bill, and reported it as amended to the house. Some of the items caused considerable debate, though their subjects were not important. Adjourned.

#### UNITED STATES BANK.

REPORT OF THE COMMITTEE OF WAYS AND MEANS.

House of representatives, March 4, 1834.

Mr. Polk, from the committee of ways and means, made the following report:

The committee of ways and means have had under consideration the letter of the secretary of the treasury of the 3d of December last, communicating to congress his reasons for ordering the public deposits to be removed from the bank of the United States; the memorial of the president and directors of the bank of the United States, complaining that the "chartered rights of the stockholders" had been violated, and asking redress; the memorial of that portion of the directors of the bank appointed by the United States, making certain charges of misconduct against the bank; and, also, sundry other memorials and resolutions from other banks, and citizens in relation thereto, which have been referred to them by the house, and have agreed to the following

## REPORT:

The secretary of the treasury, in his letter of the 3d of December last, informs congress, that "in pursuance of the power reserved to him by the act to incorporate the subscribers to the bank of the U. States," he had "directed that the deposits of the money of the U. States shall not be made in the said bank or branches thereof, but in certain state banks which had been designated for that purpose," and he proceeds to lay before congress the reasons which induced him to give such order and direction.

The bank, in its memorial, draws in question the power of the secretary to issue such order, and also the sufficiency of his reasons for the act.

From the language employed, it is apparent that the bank claims the custody and use of the public deposits as a "chartered right," and in case of a removal for reasons which the president and directors may not deem sufficient, asserts the prerogative of making the bank a party in the transaction. They assume that the "chartered rights of the stockholders" have been "violated," and demand "redress," as an act of "justice."

It is the opinion of the committee, that the question as to the power of the secretary of the treasury, and the sufficiency or insufficiency of the reasons for which he may have ceased to make the bank of the United States the depository of the public moneys, is one exclusively between that officer and the constituted authorities to whom he is responsible. To pronounce a decision upon the act, and the reasons which superinduced it, appertains exclusively to the government, and is a question in which the bank has no right to interpose for the purpose of influencing the decision.

The bank denies the authority of the secretary of the treasury to issue his order for removing the public deposits from its custody, and claims possession of these deposits as a chartered right, because, as it alleges, "the bank has in all things performed the stipulations of the charter."

The secretary of the treasury, in his letter, affirms that the bank charter conferred upon him no new power or control over the public deposits, but was a reservation of a power previously possessed by him, and one which had been exercised by the head of the treasury department from the origin of the government, and that none of the "chartered rights" of the bank have been violated by the act complained of.

The ground should be well examined before it is conceded that a power which essentially belongs to the treasury department, and has always been exercised under the responsibility of the secretary, has been transferred to a corporation, which claims to be irresponsible to the government and people of the United States, except for palpable violations of its charter.

To arrive at a clear understanding of the power of the secretary to designate and direct the place of deposit of the public moneys, it is necessary to trace it from its origin; to show by whom and how it was exercised, prior to the establishment of the bank of the United States; and how far it has been regulated, modified or transferred, by the charter of that institution. The continental congress of the revolution, as far as it possessed any attributes of government, united in itself the powers of every department. In managing the concerns entrusted to its guardianship, it acted as much in an executive as a legislative capacity. The first germ of the treasury department of the United States is found in a resolution of that body, as early as the 25th of July, 1775, to the following effect, viz:

*Resolved*, That Michael Hiltgas and George Clymer be joint treasurers of the United Colonies; that the treasurers reside in Philadelphia; and that they shall give bond with security for the faithful performance of their office, in the sum of one hundred thousand dollars, &c.

In their hands were placed all the funds of congress, to be drawn out on the warrants of the president of congress. They were directly responsible to congress, settled their accounts with that body, and held their offices at its will.

In various other resolutions and ordinances subsequently passed, we trace the process by which the continental congress gradually vested a portion of its executive powers in subordinate agents appointed by its vote, and removable at its will. It began with appointing treasurers over whom it exercised a direct superintendence. It next vested the superintending power over that and other officers of the treasury, in a standing committee of its own body. Next, it was vested in commissioners, a part of whom were members of congress, and a part not members. Finally, by creating "civil executive departments," of the treasury, war and marine, it separated the superintending power over the treasurer and other subordinate officers of the treasury, wholly from its own body, reserving the right of removal; and in case of necessity, controlling the whole system. The principle on which the department was organized, was in no degree changed by afterwards instituting a "board of treasury," for the "superintendent of finance."

It will be observed that in the first instance, the power to direct the treasurers, in relation to the place where they should keep the public money, as well as every other portion of their duties, was vested in congress. This power was afterwards vested, successively, in the committee on the treasury, the commissioners of the treasury, the superintendent of finance, and the board of treasury. The power was expressly conferred on the "superintendent of finance," and "board of treasury," to superintend and control the settlement of all public accounts, and to direct and control all persons employed in procuring supplies for the public service, and in the expenditure of public money—and the ordinance expressly provides, that a treasurer,

&c. shall be appointed "in aid of the superintendent of finance."

The superintendent, therefore, had a right to direct him in all things, in subordination to the resolutions and ordinances of congress, which was the head of the executive department.

At the time the present constitution was adopted, the treasury department was managed by the "board of treasury," consisting of three commissioners, aided by a comptroller, a treasurer, a register, and auditors and a competent number of clerks. The board had power to direct the treasurer in all his acts, and were themselves responsible to congress, the head of the executive department in the existing government.

The new constitution took the entire executive power away from congress, and vested it in an independent co-ordinate department of the government. It declares that "the executive powers shall be vested in a president of the U. States of America;" "that he shall nominate, and by and with the consent of the senate, shall appoint ambassadors, or other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointment are not herein otherwise provided for, and which shall be established by law. But the congress may by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments."

Thus, by the voice of the people of the states, assembled in the several sovereignties, was the entire executive power, including the power of appointment, and consequently of removal, taken away from congress and vested in the president. The ultimate supervision and control of the officers of the "civil executive departments" was taken from congress and vested in the president of the United States; and to enable him to exercise it with the more effect, he was, by the constitution itself, clothed with authority to "require the opinion in writing of the principal officers in each of the executive departments, upon any subject relating to the duties of their respective offices." To the president, therefore, was transferred, by the new constitution, that power of appointment and removal, and ultimate supervision over all the executive departments of the government which had before belonged to congress.

The change in the form of government effected by the new constitution, made it necessary to reorganize "the civil executive departments," which existed under the confederation. At the first session of the new congress, therefore, an act was passed entitled "an act to establish the treasury department." The first section of that provides "that there shall be a department of treasury, in which shall be the following officers, namely: a secretary of the treasury, to be deemed head of the department; a comptroller, an auditor, a treasurer, a register and an assistant to the secretary of the treasury, which assistant shall be appointed by the said secretary."

The duties assigned to the secretary of the treasury, are, in a great measure, identical with those assigned by the old congress to the superintendent of finance.

The offices of comptroller, treasurer and register of the treasury department, under the confederation, were retained under the new system, with similar duties attached to them. The very language of the old ordinances in relation to the leading duties of the treasurer, is copied into the act of congress of 1789, establishing the treasury department, viz. *It shall be the duty of the treasurer to receive and keep the moneys of the United States, and disburse the same upon warrants, &c.*

That act was construed at the time of its passage, and has been ever since, as conferring on the secretary of the treasury all the powers which, under the old confederation, had been exercised by the "board of treasury;" and we accordingly find that Alexander Hamilton, the first secretary of the treasury, and all of his successors in that office, down to the time of establishing the present bank of the United States, constantly exercised the power of directing where the public moneys in the treasury were to be deposited. It was sometimes placed in the hands of individuals, sometimes in state banks, and a part of it in the former bank of the United States. It was never supposed, during the period above mentioned, to be the province of the treasurer to make the selection, nor did he ever attempt to exercise the power. It was, by uniform usage and the acquiescence of congress and all the branches of government, from 1789 down to 1816, admitted to be placed by law under the exclusive power of the secretary, subject to the supervision of the president as the head of the executive department. Under the construction given to the same act, and by uniform usage, the principle was equally well established, that to the secretary of the treasury belonged the exclusive power of ordering transfers of public money from one place of deposit to another, and the warrants or draughts issued for that purpose, did not take the funds from the debit of the treasurer, and were never considered as drawing them out of the treasury. The public revenue can never be entirely collected or disbursed at the same places. It must necessarily be transferred from the points of collection to places where it may be needed, and deposited in secure places for safe keeping prior to disbursement. If, in this operation, it remains charged to the treasurer on the books of the treasury, although separated into a thousand parcels, and in every part of the union, it is still in the treasury, ready to be disbursed upon warrants drawn according to the laws. The committee annex to this report, by way of appendix, various official documents, establishing conclusively the position here stated.

At the period, therefore, that the charter of the present bank was granted, the power of the secretary of the tre-

this subject was one well known and understood. It had been clearly settled by long usage and invariable practice under the act of 1789, and with which the congress of 1816, when they chartered this bank, were perfectly acquainted, and to which they must have intended to refer, when they speak in general terms of his power over the public deposits, without defining or prescribing its limits.

The 16th section of the charter declares that the deposits of the moneys of "the United States in places in which the said bank and branches thereof may be established, shall be made in the said bank or branches thereof, unless the secretary of the treasury shall at any time otherwise order and direct; in which case, the secretary of the treasury shall immediately lay before congress, if in session, and if not, immediately after the commencement of the next session, the reasons of such order and direction."

This section grants no new power to the secretary of the treasury. On the contrary, as far as it operates at all, it is a reservation of the power which before existed, to select the depositories for the public funds. The secretary, therefore, does not derive his power over the subject from this act.

Being a reservation, and not a grant of power, the secretary of the treasury retains all the powers over the public moneys he before possessed, except so far as they may be modified or taken away by the bank charter. The power of transfer, not being alluded to in the section, is not restricted by it, and of course is possessed by the secretary of the treasury to the same extent as before.

Accordingly, transfers have constantly been made, since the bank charter was granted, as before, not only from one office of that bank to another, but from that bank and its offices to state banks. Hereto annexed is a list of numerous transfers from the bank of the United States to state banks, taken from a report of Mr. Secretary Crawford to the house of representatives, dated February 7th, 1823.

The error upon this point consists in considering the provision in the bank charter a grant of power, instead of the reservation of a power previously existing. Not finding the power of transfer granted, it has been denied that it exists, when, in fact, the silence of the section leaves it as it was before.

The effect of the 16th section of the bank charter is, to take from congress entirely the power to control the public deposits, which that body before possessed. It provides that the deposits of the moneys of the United States shall be made in the bank of the United States, without reserving to the legislative authority any power to order their removal, with reason or without reason.

Whether the congress of 1816 acted wisely in thus divesting themselves of all control over the places of public deposit of the public moneys, for the long period of twenty years, is a question which it is unnecessary to determine. It is certain that they did so; and during the continuance of the charter, therefore, they must have continued to be made in the bank of the United States, unless the secretary of the treasury had otherwise ordered and directed. It was stipulated with the stockholders that they should have the public deposits, unless the secretary otherwise ordered, and that the legislative authority would not interfere to take them away during the continuance of their charter.

This section of the bank charter, although it surrenders the power of congress over the public deposits for twenty years, and indicates a legislative preference for the bank of the United States as a depository, does not diminish the positive power of the secretary of the treasury over the subject. He had the same legal power after the passage of this act, to order and direct the public deposits to be made in other banks, as he had before. An *additional duty* was imposed upon him. But how can this requirement impair his power? Had the clause requiring the reasons to be reported been omitted, could it have been doubted that the power of the secretary to cause the deposits to be made in other banks would have been absolute and unqualified? And how can the necessity for giving his reasons after the act is done, impair his power to do it? Before the bank charter was granted, the secretary of the treasury was liable to be called on by congress for his reasons for discharging one bank from the service of the treasury, and employing another, and it was his duty to give them. The change effected in his position is, that he is now bound by law to give his reasons without a special call. But the giving his reasons now, after the act is done, can no more affect his power to do it, than giving his reasons then under a special call of congress; and his duty to act only for good reasons, and his liability to be punished for measures originating in corrupt or wicked motives, were just as strong then as now.

That it was intended that this power should be exercised, as it always has been, by the executive authority, without consulting congress, is proved by the fact, that the secretary is not required to give his reasons to congress, even though they may be in session, *until after the act is done*. If it had been intended that he should be directed and advised by congress before he acted, provision would have been made that when congress are in session, the reasons should be laid before them for their consideration and approval before the act was done.

In illustration of the view here taken of the proper interpretation of this provision of the bank charter, and the power reserved by it to the secretary over the public deposits, the committee refer to another provision of that charter. By the 14th

section, it was stipulated by congress, in behalf of the United States, with the stockholders of the bank, "that the bills or notes of the said corporation originally made payable, or which shall have become payable, on demand, shall be receivable in all payments to the United States, *unless otherwise directed by act of congress*." It was important for the bank, in order to obtain general credit and circulation for its notes, that they should be received in payment of public dues. The charter provides that they shall be receivable in all payments to the United States, but upon the express condition that congress reserves to itself the right to provide by law that its notes shall not be received in payment of the public revenue. This was a power reserved to congress, to which the bank agreed; as was the power reserved to the secretary to remove the deposits, to which the bank in like manner agreed. Now it will not be maintained by any one, that congress may not at pleasure, without any violation of the charter, or any infringement of the contract with the bank, by law refuse to receive the notes of the bank in the payment of the public dues.

If the secretary of the treasury, without an act of congress, should attempt to prohibit the receipt of the notes of the bank in payments to the United States, he would usurp a power which belongs to the legislative authority; and in like manner, if congress, without the previous order and direction of the secretary of the treasury, were to attempt to cause the public deposits to be removed from the bank, they would usurp a power which does not belong to them.

The bank would have the same cause to complain, if the executive refused to receive its notes in payment of public dues without the authority of an act of congress, as it would have if congress were to remove the deposits, without the previous order and direction of the secretary of the treasury, and no more.

The power reserved to congress to discontinue the receipt of the notes of the bank in "payment to the United States," is absolute and unqualified. In like manner, the power of the secretary of the treasury, for reasons which he is required to report to congress, to employ other depositories of the public money, is equally absolute and unqualified. Neither congress nor the secretary are required to give any reasons to the bank. And if congress were, for reasons satisfactory to themselves, to pass a law, declaring that the notes of the bank shall no longer be taken in payments to the United States, the president and directors of the bank would have no just ground of complaint that their "chartered rights" had been violated. Is the case now presented at all different in principle? Have they any just ground to complain that their "chartered rights" have been violated, by the act of the secretary, in the removal of the deposits? The bank charter is a contract between the government of the United States and the stockholders. To see that the secretary of the treasury acts from pure motives, and judge whether further legislation be not necessary on the subject, congress require of him to report his reasons to them. This is an arrangement between the legislative and executive departments of the government, who are jointly one party to the contract, with whose arrangement, the bank, as the other party, has no concern. The stockholders entered into the contract, in which the government reserved the right to reject their notes, and discontinue their bank as a depository, the one through congress and the other through the secretary of the treasury, without assigning to them any reasons whatever. Whenever either of these powers is exercised by the agent to whom it has been reserved, no stipulation of the contract has been violated, and the bank has no right to complain.

Not only was no stipulation made with the bank that its notes should be received in payments to the United States, and that it should be employed as a depository of the public moneys, longer than it should be the pleasure of the government; but any contract of that sort on the part of the government would have been indiscreet and improper. To have absolutely bartered away to a corporation, the high powers of both the legislative and executive departments, and left the government of the people absolutely dependent on a corporation of its own creation for the currency in which public dues should be paid, and the places in which the public moneys should be kept, would have been an assumption of power on the part of those who created the bank charter, which the boldest advocates of a controlling power over the popular will, never dared to maintain. Many unforeseen considerations, might render it expedient, if not indispensable to the preservation and protection of the public interests, within a less period than twenty years, to sever the connection between the government and the bank, and no congress has yet been found so imprudent as to transfer from the government the power to determine what currency it will or will not receive in payment of the public dues, and to select at will the depositories of the public funds; much less, have they imposed on the public authorities, and on congress themselves, the degrading duty of giving reasons to a corporation, for measures they may deem essential to the interests of the people, the purity of the government, and the preservation of our invaluable institutions.

The removal of the deposits by the secretary of the treasury from the bank of the United States, so far from being an usurpation of a power belonging to congress, actually restored to that body a power, of which they had by the terms of the charter divested themselves. So far as regards congress, the contract is *absolute*, that the deposits shall be made in the bank of the United States, and no shadow of authority is reserved to



them otherwise to "order and direct." Congress divested itself of all power or control over the deposits unless the secretary should first issue his order for the removal. The exclusive power to issue such order was reserved to the secretary of the treasury, and but for his action, the deposits must have remained beyond the reach of congress until the termination of the bank charter. The moment they are out of the bank, by the order and direction of the secretary of the treasury, as provided in the charter, all the original power which congress possessed over them, reverts to that body. They may by law direct their future disposition. If they think proper to relieve the executive from all responsibility for the safe keeping of the public funds, they may, by an act of legislation, designate the depositories in which they shall be kept. The power with which, in the opinion of the committee, congress should never have parted, has been restored to that body by the act of the secretary, and it is not perceived upon what ground he can be charged with an usurpation of their powers, by an act which has essentially enlarged them.

In the section of the bank charter reserving to the secretary of the treasury the power over the deposits, it is not stated what reasons may be sufficient to justify him in directing the money of the United States to be deposited in other banks. That they ought to be good and honest reasons, there can be no doubt. Before the bank of the United States existed, he was equally bound to have such reasons for discharging one bank and employing another, as well as for all his other official acts. If they be not honest, he may be impeached by congress, or dismissed from office by the president. If they be not good, he may be overruled by a subsequent act of legislation, providing for their restoration, or designating some other place of deposit than that which he may have selected. But if they be both honest and good, the transaction should be at an end, when they are reported to congress.

It has recently been maintained in argument, that no reason but a want of safety can justify the removal of the deposits from the bank of the United States; that the security of the public funds was the sole object which congress had in view; that having confidence in the bank, the act of charter directed the deposits to be made in it, but lest, at any time they should become insecure, they reserved to the secretary of the treasury the power of removing them, with a view solely to render them more secure; and that, for the same reason, he was required to assign his reasons to congress, whenever he did order the removal, that congress might review his act.

It is to be observed that the words of the bank charter recognizing the power of the secretary to remove the deposits, do not define the reasons or circumstances which will authorise him to act; and the necessary inference is, that he may act, for any reasons, which to him may seem sufficient.

If want of safety was the only reason which could justify a removal of the deposits, why was the secretary required to report his reasons at all? If there could be but one sufficient reason, congress would have known it as well without being reported as with it; and if there could be but one reason, why was it not so declared in the charter?

There are good grounds to believe that want of security was not the only, nor the chief reason in the minds of congress, when they required of the secretary to assign the reasons of the act to them. Suppose it to be discovered by the secretary, that the bank is in a tottering condition, and on the verge of stopping payment, what advantage would the government gain by a sudden withdrawal of its funds? Under the circumstances supposed, the first effect of such a measure would probably be, to compel the bank instantly to stop payment, and as a consequence, its notes would become fatally depreciated. But the bank charter requires that its notes shall be received in all payments to the United States, unless congress shall by law otherwise direct. All the revenues would then be paid in their notes, however much they might be depreciated, for the secretary would have no authority to refuse them until congress repealed the provision which required them to be received in payments to the United States. To remove the public funds, therefore, for want of safety, would be to depreciate the currency in which the accruing revenue must be received. Instead of having a deposit of good money in a doubtful bank, we might have one of bad money in good banks. The bank of the United States would be more likely to pay the warrants of the treasurer if the deposits were left in its possession, than it would to pay its own notes, received in payment of revenue, if they were taken away.

Instead of removing the deposits in such a case, the public interest would require every practicable effort on the part of the treasury to sustain the credit of the bank, at least until congress could repeal the provision which makes its notes a tender in all payments to the government. He would be a faithless secretary who should depreciate the currency he is bound by law to receive in payment of public dues; and under pretence of putting the public funds already collected in a safe place, resort to a measure which would inevitably make the currency which he was bound to receive in payment of the accruing revenue, in a great degree, worthless.

But the contemporaneous and continued construction of the clause in the charter relative to the secretary's reasons, even if the meaning of the words themselves was at all doubtful, is conclusive to show, not only that the secretary possesses full power to order the removal, but that it is his duty to do so for other reasons than the insecurity of the public funds.

On reference to the correspondence and documents connected with the treasury department, we find that Mr. Crawford, who was secretary of the treasury at the time the bank went into operation, in sundry letters, distinctly asserted his power under the charter to cause the deposits of public money to be made in state banks for various reasons, and that he did actually exercise that power during the first year of the bank's existence, reporting his reasons to congress at the next session; and that he did again exercise it in the year 1818—on both of which occasions it was not contested by the bank, and not called in question by congress. We find that in 1819 the power was expressly asserted by a committee of congress, and by eminent members, in debate, without controversy; and that at a subsequent period (1824) when Mr. Crawford's arrangements with state banks were called in question and investigated, it was declared by a committee of the house of representatives, that there was nothing in them in violation of law, or contrary to the usages of the department.

The successors of Mr. Crawford in the treasury department, Mr. Rush and Mr. Ingham, have asserted the power; and it was admitted to exist for other purposes than the security of the public deposits by the committee of ways and means of this house, as late as 1830.

The grounds on which it has been asserted the power may be exercised, have been, to equalise the benefits resulting from the deposits among the bank community; to aid the state banks in maintaining their credit; to induce them to resume specie payments; to prevent a pressure on their debtors; the refusal of the bank of the United States to receive as cash the notes of banks which it was deemed the interest of government to receive from its debtors; the public convenience; the misconduct of the bank; its interference in politics, and the use of its pecuniary power to produce injustice and oppression. These several grounds of action, suggested sometimes by the secretary of the treasury, sometimes by committees of congress or its members, as well in public documents as private correspondence, were never declared to be illegal or invalid even by the bank itself; nor does it appear ever to have been maintained or suggested, that the want of security was the only good reason for the action of the secretary, until since the removal by order and direction of the present incumbent. The committee consider the point too clear, under the words of the law and the practice of the government, to be now seriously called in question. Extracts of letters and reports are given in the appendix to this report, which fully establish the positions here asserted.

It has also been objected to the act of the secretary, that conceding to him the power to remove the deposits, and to direct them to be placed in state banks, that yet he had exceeded his authority in entering into contracts with the new depositories, prescribing the terms of deposit and the duties and services which they should be required to perform for the government, in consideration of the use of the public moneys.

The committee are of opinion that there is nothing in this objection. Money of the United States could not be placed in their keeping without a contract with them. If there was no written agreement, the law would imply one. It would imply a contract on the part of the deposit bank to pay; and if they refused to pay, the United States might sue and recover the money.

If the secretary, by depositing the money in a state bank, may make an implied contract, by which the bank would be bound to pay, surely he may make an express one. The objection, therefore, that he may not enter into a contract, although he has a right to deposit the money, is wholly untenable. If the state banks are selected lawfully as agents, and their duties not defined by law, they must necessarily be defined by contract, and the United States have the same right to take care of their interests in this respect as an individual.

In making these contracts, the present secretary has but followed the example of his predecessors, and has manifested an anxious care to protect the interests of the United States; and so far from being justly subject to censure, deserves rather to be commended for his vigilance, in guarding the public treasure as far as possible from danger of loss. But suppose all that has been urged by those who rely upon this objection to be true; suppose the contracts to be in fact void; still the public money is not less secure in the state banks than it would have been if no contracts had been made. In any view, therefore, the committee are of opinion that the objection is utterly futile, and deserving of no consideration. It has been the constant practice of the treasury to make such contracts with the banks selected as the public depositories, examples of which may be found in official letters of Mr. Gallatin and Mr. Crawford, hereto annexed.

The committee are of opinion, therefore, that the secretary possessed the power to issue his order for the removal of the deposits, and they are further of opinion that none of the chartered rights of the stockholders of the bank have been violated by it.

The bank in their memorial allege, "that in consideration of a full equivalent, rendered by them in money and services, they were entitled to the custody of the public deposits." To this proposition the committee do not assent. It appears by the 20th section of the act of the charter, that the bonus of a million and a half of dollars was paid by the bank in consideration of the exclusive privileges and benefits conferred by this act upon the said bank. This was the only money paid by the bank to the United States, and it was paid, not for the use of the public de-

posites, but for the exclusive privilege and benefit of banking conferred by the charter, and especially by the provision contained in the 21st section, viz:

"That no other bank shall be established by any future law of the United States during the continuance of the corporation hereby created, for which the faith of the United States is hereby pledged."

The only services which the bank stipulates to perform for the government, are, "to perform the several and respective duties of the commissioners of loans for the several states, or of any one or more of them, whenever required by law;" and to "give the necessary facilities for transferring the public funds from place to place, within the United States, or the territories thereof, and for distributing the same in payment of the public creditors, without charging commissions, or claiming allowance, on account of difference of exchange."

It nowhere appears in the charter of the bank that these services were to be performed by the bank in consideration of the use of the public deposits; but if it did so appear, it is evident that, so soon as the public deposits are withdrawn, the bank, not having possession of the public funds, can no longer be required to perform those duties. The committee think it much more likely that the consideration for these services in the minds of those who enacted the bank charter, was, that the United States agreed on their part to receive the notes or bills of the bank in payment of the public revenue, thereby enabling the bank to give general credit and circulation to their paper. Mr. Dallas, the secretary of the treasury at the time the bank charter was granted, in a letter addressed to the "committee on the national currency," dated the 24th of December, 1815, confirms this opinion. In that letter Mr. Dallas states, "It is proposed that in addition to the usual privileges of a corporation, the notes of the national bank shall be received in all payments to the United States, unless congress shall hereafter otherwise provide by law; and that in addition to the duties usually required from a corporation of this description, the national bank shall be employed to receive, transfer, and distribute the public revenue, under the direction of the proper department." Congress adopted this suggestion of the secretary, and hence we find, that by the 14th section of the bank charter, congress agree to receive the notes and bills of the bank in payment of public dues, and by the 15th section immediately following, the bank stipulates to transfer and distribute the public funds from place to place, without charge to the United States. In the same letter, Mr. Dallas negatives the idea that the deposits constituted any part of the consideration either for the bonus or the services proposed to be performed by the bank. He states that, "it is proposed that a bonus be paid to the government by the subscribers to the national bank, in consideration of the enrolments to be derived from an exclusive charter during a period of twenty years." This suggestion of Mr. Secretary Dallas, was also adopted by congress by a provision to that effect contained in the 20th section of the bank charter before recited. In the same letter, Mr. Dallas holds the following language in relation to the "deposits and the distribution of the public revenue," viz: "Independent of the bonus here proposed to be exacted, there are undoubtedly many public advantages to be drawn from the establishment of the national bank; but these are generally of an incidental kind, and (as in the case of the deposits and the distribution of the revenue) may be regarded in the light of equivalents, not for the monopoly of the charter, but for the reciprocal advantages of a fiscal connexion with the public treasury." It thus clearly appears that the ground assumed by the bank, that it had rendered "a full equivalent" in "money and services" for the use of the public deposits, is erroneous, and is not sustained either by the bank charter itself, or the opinion of the head of the treasury department—who furnished the plan, and largely contributed to found the present bank of the United States. Upon this ground, therefore, the committee think the bank cannot justly complain, that any of the "chartered rights of the stockholders" have been violated by the late removal of the public deposits from its custody.

The committee proceed to consider the sufficiency of the reasons assigned by the secretary for the exercise of his power in the case submitted to them by the house for their examination. These reasons may be classed under two general heads:

1st. Those which have relation to the public interest.

2d. Those which have reference to the conduct of the bank. The first reason given by the secretary is the fact that the charter of the bank of the United States will expire on the 3d of March 1836, and the probability that it will not be renewed. He has not undertaken to decide that the bank will not be re-chartered; but he has said he has no right to presume that it will be. He has said that he must act under the law as it exists, and not as it may by possibility be changed or altered by the action of congress hereafter. He has said that the bank charter will expire by its own limitation in the year 1836, and that he would not be justified in acting upon the supposition that the charter will be extended beyond that period; he has said further, that in his judgment, the presumption was very strong, that the charter would not be renewed. In the opinion of the committee, he was warranted in coming to this conclusion. What are the facts upon which an opinion on this point is to be formed? The corporation itself had made the renewal of its charter the leading question in the last contest for the presidency. It had procured from congress the passage of a bill to renew the charter, and elicited a veto from the president. Its advocates every where were uncommonly active. It is even charged with having

stepped into the arena itself, and resorted to unusual means to give information to the people "relative to its nature and operations." Although, in addition to its own strength, it was sustained in the conflict by a combination of powerful political elements, it was signally defeated, and the president triumphantly re-elected. This result could not be otherwise considered than as a verdict of the people in favor of the veto, and against the bank.

If any doubt had existed in relation to the decision of the people on that point, we may confidently appeal to the elections of members to the present congress for its solution. Of the many expressions of public opinion, through the more numerous representatives of the people in the state legislatures, presented to congress and referred to this committee, during the present session, in relation to the bank, not one has recommended its recharter, while most have declared it unconstitutional.

That the bank would ever be rechartered, there was, therefore, when the secretary gave his order to remove the deposits, but little reason to believe; and there is less now.

Nor was there any reason to believe that a substitute for the present bank could be provided by congress. Of all the schemes suggested, none seemed to have met with any considerable portion of favor from the people. There were, therefore, abundant reasons to believe that the government would be under the necessity of resorting to the employment of state banks, in the same manner as before the present bank of the United States was created.

The transfer of the public deposits from the bank of the U. States and branches, to the state banks, at some period, was therefore inevitable. The only question was as to the time. Ought they to have been made in the bank of the United States to the last day of its existence, or to have been changed at an earlier day? and if so, how much earlier?

The public deposits constituted substantially a part of the capital of the bank, and enabled it to maintain an extension of business which would have been impracticable without them. If the deposits had remained in the bank until the close of the charter, that institution must either have commenced its curtailments at a preceding period, and locked up from the use of the community a large amount of funds, or the contraction of its business at the termination of its charter, to meet the demands from the public deposits, pay over its private deposits, redeem its returning circulation, and reimburse its stockholders, must have created a most appalling pressure upon the country. It was certainly wise policy to divide this operation, and save the community from being overwhelmed by all these demands at once. A withdrawal of the public deposits was calculated to produce that result. A part of the private deposits would naturally follow the public; and it was reasonable to suppose, that when the effective capital of the bank was curtailed, and it ceased to be the disbursing bank for the officers of the government, its circulation would be diminished. These consequences flowing gradually from a gradual removal of the deposits, would make it necessary for the bank, by gentle degrees, to call in its loans, and restrict its business, so that, at the termination of its charter, its demands on the community would be less, and the pressure lighter. These views, which appear to have been entertained by the secretary of the treasury, seem to have been verified by results.

The bank has proceeded to call in its loans, and has already wound up its concerns to the amount of about fifteen per cent. of all it had under disbursement. The manner in which this operation has been conducted, will be adverted to in another part of this report, as will also the effect produced by it. It is sufficient to remark here, that if embarrassment has been produced by it, (which could not have been its necessary effect), it rather proves the prudence and wisdom of the measure, than its impudence or hastiness. And if the mere removal of the deposits so long before the termination of the charter, has caused the public distress which is now alleged to exist, how overwhelming must it have been if that operation had been delayed until the expiration of the charter, when other inevitable demands to a large amount would have been superadded! It is only by dividing the evils which this bank, in its last moments, has power and seems disposed to inflict upon the country, that they can be made tolerable. And it is wise in the government so to conduct its policy, that they shall not be brought upon it at once. A new system of collection and disbursement cannot be introduced and put into operation throughout this extensive country at once. Local and temporary causes will be likely to interfere with its introduction, which it will require time, patience and labor to surmount. In some places, it may be difficult at first to find safe and willing agents to transact the business of the treasury. By introducing the new system before the old system is out of existence, the former agents may continue to be employed in such places until the difficulties be overcome. But if the removal were delayed until the moment the old system ceased to exist, such might be the influence or power of its advocates, and their resolute determination to force its continuance, that they might make it impossible for the government, upon the emergency, to employ suitable agents. To obviate those difficulties, which might create great embarrassment to introduce and put into harmonious operation all the machinery of a new system throughout a country so extensive, cannot surely require less time than has been taken by the secretary of the treasury.

There appears also to be much force in the considerations urged by the secretary, connected with the currency of the

country, and the domestic exchanges. The notes of the bank of the United States must necessarily in a short time be withdrawn from circulation. The principal currency of the country for many years to come, will be bank notes, there is no reason to doubt, and it is certainly good policy to foster the state banks which furnish them, in measures tending to give them as general credit as has been heretofore attached to the notes of the United States bank and branches.

That the natural and ascertained course of trade, circulation and exchange, connected with the interests of banking institutions, will ultimately produce this result in relation to the notes of the principal state banks, there is every reason to anticipate; but their employment in the business of the government, by awakening them to their capacities and interests, is calculated to hasten the consummation of so desirable an event.

It was a matter of no small moment, to encourage and hasten the banks in maturing their system of circulation and exchange, so that at the termination of the charter of the bank of the United States, the trade of the country might not encounter at the same time the loss of a general currency and the entire breaking up of the domestic exchanges, a partial interruption of which, by that bank is now producing such serious inconvenience. By the latest returns of the banks employed by the government, it appears that they are already rapidly taking the place of the bank of the United States in the exchange operations. Upon all the points hitherto considered, there is room for a difference of opinion, as to the time when the public deposits should have been shifted to the state banks.

It is evident that it would have required one, two or three years, to realize the result which the public good required should be brought about before the termination of the bank's charter; but whether the greatest or least of those periods, men may differ according to their views of their several operations. But there was another consideration connected with the public good, which, in the opinion of the committee, made it the imperative duty of the secretary to act without delay. Without waiting for the final decision of the secretary, the bank of the United States, early in August last, although then in possession of specie to an amount exceeding ten millions of dollars, and receiving a rapid accession to the public deposits, commenced a system of severe curtailment, and before the end of that month took large sums in specie from the state banks. Before the 1st of October there was a pressure upon the money market, and serious apprehensions for the future. The board hoarded up the deposits it had received, and at the same time made a rapid curtailment of its loans. The secretary has accurately set forth the accession of public deposits, and the curtailment of loans during the months of August and September. The former amounting to \$4,066,146 21, and the latter to \$2,268,504 11, showing the whole amount abstracted from the use of the mercantile community, chiefly in the commercial cities, during these two months to have been no less than \$6,334,650 32. In consequence of the change in the tariff, which threw into the latter part of the last year the payment of two sets of duties, the old credit and the new cash duties, the public deposits were accumulating in the Atlantic cities with unprecedented rapidity, and it was apparent that the business of the cities could not long bear the double drain of bank calls, and public revenue, without some return.

As the bank had commenced this course in anticipation of a removal of the deposits, it could not be expected to change it until all idea of that measure should be abandoned. Had it been postponed until the first of January, it is not to be imagined that the bank would have relaxed its rigid policy upon any other consideration than a disposition in the executive to abandon the measure, or in the legislature to overrule him. It cannot be doubted that the government would have been forced from its position, or that a scene of ruin and distress would have been produced by the unfeeling cupidity of the bank, and its determination to force a recharter.

If, under the circumstances, the secretary of the treasury had delayed the execution of his order for the change of the deposits to the first of December or January, he would, in the opinion of the committee, have been culpably regardless of the great public interests intrusted to his superintendence. But, independent of these considerations, it was the undoubted duty of the secretary of the treasury to order and direct the transfer of the deposits whenever, in his opinion, it was required by the public interests.

It is proper to observe, that in expressing the opinion that it is the duty of the secretary to change the place of deposits, whenever the public interest or convenience require it, the committee have no reference to interests which are not immediately connected with the financial concerns of the country, or the conduct of the bank as the fiscal agent of the government. Beyond these limits, the secretary of the treasury does not and has not claimed the right to interfere. The reasons upon which he appears to have acted are fiscal merely, and are confined entirely to the condition in which the government and people would be placed by the state of the currency on the termination of the charter of the bank, and to the misconduct of the bank in its character of fiscal agent of the government.

He does not claim for himself, nor do the committee claim for him, the right to regulate the currency, nor to influence by his power over the deposits any political movements affecting either our internal concerns or foreign relations. But it is unquestionably his duty to look forward to the condition in which the currency will in a short time be placed, by the existing

laws, when the charter of the bank expires; and it is clearly his duty to examine also into the conduct of the agent which has been placed by law under his supervision; and to inquire whether its money or corporate powers are used in good faith, for the purposes for which they were given. As the presiding officer of the treasury department, these subjects were legally under his supervision, and came directly within the range of his official duties. In acting upon these reasons, it is not the theory of our system, nor has it been the practice, to consult the legislative power in relation to acts which are entrusted to the direction of the executive; and to ask the sanction of congress beforehand, to acts which a sense of duty requires him to perform, would be to shrink from his constitutional responsibility, and throw it upon another department of the government. With the removal of the deposits, and the reasons for it, congress, according to the charter of the bank, have clearly no concern, even if they be in session when, in the opinion of the secretary of the treasury, a removal becomes necessary or proper, until the act be done and the reasons be reported to them.

The committee come next to examine such of the secretary's reasons for the removal of the deposits as relate to the conduct of the bank.

The United States are the owners of seven millions of the capital stock of the bank, and by the charter are entitled to be represented at the board by five directors. The charter provides that "not less than seven directors shall constitute a board for the transaction of business."

Although the charter of the bank declares, in express terms, that it shall require the attendance of seven members of the board of directors to constitute a quorum for doing business, the government directors state, and the fact also appears from the evidence accompanying the report of the committee of investigation in 1832, and that of the committee of ways and means at the last session, that, for some time past, all the most important business of the board has been done by committees of less than seven, selected by the president, of which he is *ex-officio* a member; that these committees seldom report, and many of their most important transactions are secret, and remain for a long time unknown to the board.

This delegation of power to committees of the bank, the committee consider to be a direct and palpable violation of the charter of the bank. From all these committees, the government directors, who are appointed to represent the stock, and watch over the interest of the United States in the bank, state, in their memorial, they are entirely excluded. They state that, at the commencement of the last year, not one of their number was placed on any of these committees, and although, at a subsequent day, two of them were assigned to stations on committees, they were again, in a short time, excluded from them altogether. Thus were they cut off from all participation in the most important business of the bank, and know nothing of what is done except by accident or results. They state that all important negotiations are carried on by the committee of exchange, who grant discounts to printers, politicians and others almost without limit, often upon securities wholly inadmissible, according to the rules of the board, on extraordinary terms, and for unusual times. They state that, in one instance, when they discovered that certain debtors had been permitted largely to overdraw, and that their paper remained unprotected when due, and unpaid, they procured the appointment of a committee to investigate the account, but before that committee could act, the committee on exchange, in violation of the rules of the bank, discounted to the same men, certain notes and draughts (some of which on security of the most unusual kind) sufficient to pay the over draughts, and take up the unprotected paper; although they were then many times protested on other paper; and the board, to consummate the transaction, rescinded the order under which the select committee was appointed, three days after it was adopted.

To conform the practice of the bank to the charter, the government directors state, that they proposed to restore the business of discounts to the board of directors; but this was overruled. To enable them to participate, in some degree, in the business of the bank, they proposed that the members of the whole board should be selected, in rotation, to form the committees, in conformity with former practice, and an unrescinded rule; but this also was refused.

Finally, instead of reforming the practice of the bank, so as to make it conform to the charter and the rules, the majority of the board of directors changed the rules, and made them conform to the practice. Thus, rules made by themselves, are taken as authority for disregarding the restrictions of the charter and of the regulations prescribed by the stockholders; and from the statement of these directors, it appears that almost all the business of the bank is done by committees of three or five, to which the president is attached *ex-officio*. The board of directors remain ignorant of the movement of the corporation, which has been put under their management, and by an entire exclusion of the government directors from the committees, they are rendered useless for all the purposes, which induced their being placed in the direction. Under such management, could the interest of the government be considered secure in their hands? The committee think not—and that this, with other abuses connected with its management, which will be noticed in the subsequent part of this report, was a sufficient reason to justify the secretary in the removal of the deposits.

The conduct of the bank in the year 1832, in secretly interfering, through the agency of its president and one of its secret

committees, with the policy of government, whereby they sought, without the knowledge or consent of the government, to postpone the payment of a large portion of the public debt, denominated the 3 per cent. stock, for a long period beyond the time fixed by the government for its reimbursement, was, in the opinion of the committee, not only without warrant of law, but highly reprehensible. The conduct of the bank in this transaction, was fully examined by a committee of the house at the last session of congress, and resulted in a report from the majority, and a counter-report from the minority of that committee. To these reports, hereto appended, the committee refer for all the facts connected with this illegal and unwarrantable act on the part of the bank. In neither of these reports is the conduct of the bank approved. In the report of the majority it is admitted that "it is due however, to the government, to express the opinion, that the arrangement made by the agent in England for the purchase of the 3 per cent. stock, and the detention of the certificates (which measures were subsequently disclaimed by the bank), the institution exceeded its legitimate authority, and had no warrant in the correspondence of the secretary of the treasury." The minority of that committee in their report, present all the facts in detail, derived from official correspondence and documents, and from the personal examination on oath of a part of the directors of the bank. Referring to these official reports of a former committee, of the house, the committee deem it unnecessary to do more than to call the attention of the house to them as developing all the facts and circumstances connected with this transaction.

But it has been urged that the conduct of the bank, in regard to the three per cent. stock, should have constituted no part of the reasons which should have influenced the secretary of the treasury in the removal of the deposits, because a majority of the house of representatives had, at the last session, expressed an opinion, by the adoption of a resolution, that the deposits may be "safely continued in the bank of the United States." To determine what consideration ought to be given to such an expression of the opinion of the house, it is necessary to look to the circumstances under which it was given. By the journals it appears that the committee reported to the house on the first March, and on the next day (second March) the minority made a further supplemental report. The resolution in question was adopted on the second of March, being the last day but one of the session. The reports of the majority and minority of the committee were very long, and were accompanied by a mass of testimony, upon which they were based, and which it had occupied the committee many weeks to collect. The reports had not been printed, and could not have been examined or read by any member of the house except the committee themselves.

The house, by this vote, did not approve the conduct of the bank in regard to the three per cent. They expressed no opinion that other causes than the insecurity of the public deposits in the bank, would or would not be sufficient to justify the secretary in removing them. These points were not presented for their consideration or decision. The vote, in fact, amounted to nothing more than a simple expression of the opinion of a majority of the house, that as the deposits had been heretofore kept in the bank, for aught that appeared, (the reports of the committee not having been printed or examined by the house), they might be safely continued there. This expression of opinion, given under the circumstances stated, ought not, in the opinion of the committee, to have restrained the secretary from the performance of his duty, if, in his opinion, the bank had become faithless to its trust, or the public interest made it necessary for him to act.

The next reason assigned by the secretary for the removal of the deposits, is the unjust and unconscientious demand on the part of the bank for damages to the amount of \$158,842 77, upon the protested bill drawn by the United States on the French government. A bare statement of the facts connected with this transaction will show the true character of this demand on the part of the bank. The bank is the fiscal agent of the government, and during the whole period of its existence, has held on deposit very large amounts of the public money, which it has used (without the payment of interest to the government, in loans to the community) and has been thus enabled largely to increase its profits. From an official statement appended to this report, it appears that the average amount of deposits of the public money in the bank of the United States, and its offices, for each month, from the year 1818 to the year 1833, both inclusive, (being a period of 16 years) was \$6,717,353 67; the annual interest accruing to the bank upon this amount of public deposits, at 6 per cent. per annum, would be \$403,635 22, and for a period of 16 years, would be \$6,448,563 52. During the month of February, 1833, the government were desirous to have remitted from Paris to the United States, the amount of the first instalment due to the United States from France under the French treaty of the 4th July, 1831. For the purpose of effecting the remittance in the most convenient and least expensive form, the government of the United States drew on the 7th of February, 1833, a bill on the French government for \$903,565 89, and sold the bill to the bank of the United States. The bill was paid for by the bank, not by cash advanced and paid out of the bank, but by simply entering the amount to the credit of the treasurer on the books of the bank, and thus increasing by that amount the public deposits in the bank; the bank continuing in the possession and use of the money as before the purchase, with this difference only, that the amount paid for the bill was subject, with the other public moneys on

deposit, to be drawn for by the government as the public service might require. The bill was sold by the bank in London and forwarded by the purchaser to Paris for collection, where it was protested, because the French chambers had failed to make provision for its payment, and was afterwards taken up for the honor of the bank, by its agent. The government immediately paid back to the bank the principal of the bill.

But the secretary of the treasury declined paying the damages which the bank claimed. In the monthly statement from the bank of the 3d of June following, and in all the monthly statements since that time, (in each of which is contained, amongst other things, the bank's account with the treasury), the following item is charged by the bank, to wit: "Due by the U. S. for protested bill of exchange on France, \$158,842 77."

What makes this demand the more unconscientious, is, that during the whole period, from the 7th of February, the day the bill was drawn, until it was repaid to the bank, the public deposits in bank, and which it held and used without interest, greatly exceeded the amount of the bill. The bank then did not in fact suffer any damages, or losses, other than the interest, cost of protest and re-exchange, which the government promptly, and without hesitation, avowed its willingness to repay, together with the principal of the bill. But the bank claims more than this. They claim \$158,842 77 as damages, not on the ground that any damages were in fact sustained, but upon a technical claim of a legal right to damages. Under such circumstances, the committee consider it to have been the duty of the secretary of the treasury, not only to decline making the payment, but to discontinue the fiscal agency of an institution capable of asserting so unjust a demand, and seeking to enrich itself at the loss of its principal. Here was a bank which, for upwards of 16 years, had had the use of an average deposit of public money of near seven millions of dollars, without the payment of interest, deriving a profit from the use of the public money during that period of upwards of six millions; and at the very moment when it has in use millions of the public money, is taking advantage of the disappointment of the government which employs it, and that disappointment too growing out of an unforeseen contingency, against which the government could not guard; and seeking, upon what it is pleased to regard as the strict law of the case, without even color of justice, to make the government, in whose employ it is, pay in damages the large amount already stated. No prudent individual, who had any regard to his own interests or rights, would continue an agent who would manifest such an utter disregard of his interests. An individual would have taken his business out of the hands of such an agent. The secretary of the treasury, as the only authorised agent of the government, competent to do so, has done nothing more, by the removal of the deposits, than discontinue the fiscal agency of the bank of the United States.

In the view which they have here presented, the committee have proceeded upon the supposition that by the strict law, the bank might demand the damages in question. If that were the case, the demand would be most unconscientious and unjust.

The committee do not, however, concede that the bank has even a legal right to the damages claimed. In general, the drawer of a foreign bill returned protested, is liable for the amount on the face of the bill, for interest, for cost of protest, for re-exchange, and for the reasonable expenses which have been incurred by the dishonor of the bill, and, according to the general usages which regulate foreign bills of exchange, he is liable for nothing more. There is no general commercial usage which gives damages of 15 per cent. or at any other rate, on the return of a protested foreign bill of exchange. Damages of that description, whenever they are allowed against the drawer, are either given by statute or depend upon the established local usages of particular places, and not upon the general usages of trade. In the United States, the amount of damages, recoverable upon a foreign bill returned protested, varies according to the local usages or statutory provisions of the different states, respectively. In Massachusetts the damages are 10 per cent. in addition to interest and cost of protest; in Pennsylvania the damages are 20 per cent. on bills drawn on Europe, and returned protested. In Maryland 15 per cent. The amount of damages in the respective states being regulated by statute, there is no general usage prevailing all the states, which can regulate the amount of damages. This bill was drawn and sold to the bank at the treasury in the District of Columbia—and in that portion of the district which was before the cession to the U. States a part of Maryland. The right of the bank to recover the damages claimed, must depend upon the laws of Maryland, still in force in this district—congress never having passed any law on the subject since the cession of the territory, and the exclusive jurisdiction over it to the United States. The only statute of the state of Maryland in force in that part of the district formerly held by Maryland, is an act passed in 1785, chap. 38, S. 1. by which it is provided, "That upon all bills of exchange hereafter drawn in this state, on any person, corporation, company or society, in any foreign country, and regularly protested, the owner or holder of such bill, or the person or persons, company, society or corporation, entitled to the same, shall have a right to receive and recover so much current money as will purchase a good bill of exchange of the same time of payment, and upon the same place, at the current exchange of such bills, &c.; also, fifteen per cent. damages upon the value of the principal sum mentioned in such bill, and cost of protest, together with legal interest upon the value of the principal sum

mentioned in such bill, from the time of protest, until the principal damages are paid and satisfied." The account rendered by the bank (see letter of cashier of the 13th May, 1833, hereto annexed), appears to have been made out according to the provisions of this act, and the question is, whether this bill is embraced by the act of 1785.

The committee are of opinion that a bill of exchange drawn by the *United States*, is not embraced by this act.

The state is never construed to be included in the general provisions of a statute, unless it is expressly named, or the language of the law, or the nature of its provisions plainly imply, that its enactments were designed to bind the state as well as individuals. A bill of exchange drawn by the state would not have embraced by the act of 1785, already referred to, because the state is not named in the act, and the whole scope and language of the law, shows that its object was to provide for the dealings of *individuals, corporations, companies, societies*, and not to regulate the action of the government by which it was enacted. The large damages mentioned in the law, are evidently intended for the benefit and convenience of commerce, and to prevent persons from drawing bills on foreign countries, where the drawer had reason to believe they would not be honored. The reason could not apply to the state, and there can be no ground to suppose that the state, in passing this law, intended to inflict upon herself a penalty, if a bill drawn by her should be unexpectedly returned protested. If a bill then drawn by the state of Maryland on a foreign country, and protested, would not have entitled the holder to the 15 per cent. damages against the state under this law, neither can these damages be claimed against the *United States*, who now stand in the place of Maryland, in that part of the District of Columbia where this bill was drawn. But this bill is not embraced by this law, because a bill drawn by an individual on a *foreign government*, would not be included by the terms of the law. The language of the law confines its operation to bills drawn on "*any person, corporation, company or society, in any foreign country*," and these words cannot by any fair rule of interpretation be construed to mean a *foreign nation*, or to embrace a bill drawn on a *foreign government*. Neither the drawer nor drawee then, in this case, seem to be embraced within the purview of this law; but if they were, yet this transaction does not seem to be one of the description for which it intended to provide.

A bill of exchange, as known in commerce, is of itself a sufficient authority to the drawee to pay the money, and a proper endorsement on it transfers the right to the endorsee, and the bill and its endorsements do not require the aid of any other instrument to give them force and authority. The endorsement of the bill by the payee, in blank, is of itself sufficient to warrant the payment to the holder. The bill in question is not an instrument of this description; standing by itself it was of no value, and gave no right to the payee or the holder to whom he might endorse it to receive the money. It was deemed necessary by the parties to this transaction, that there should be other and higher authority, in order to enable the bank to receive the money, and this authority accompanied the bill.

This authority was executed by the president of the *United States* on the same day that the bill was drawn by the secretary of the treasury, under the seal of the *United States*, and countersigned by the secretary of state, whereby the bill was recognized, and the cashier of the bank (who was the payee), or his assignee of the bill, was authorised to receive the money and to give an acquittance to the French government, and the bill, sustained by this authority, was sold to the bank at the treasury, and the proceeds placed to the credit of the *United States* on their books. The act of the president under the seal of the *United States*, which accompanied the bill, was the only instrument which conferred on the bank the right to receive the money, and the only instrument which enabled them to assign their right to receive it. The government and the bank both acted with a full knowledge that the bill itself would be unavailing to accomplish the object in view, and the proper authority in another instrument was executed for that purpose. This was a transaction between governments, and the authority given by the government of the *United States* to the bank to receive the money from the French government, cannot be regarded in the commercial sense as an ordinary bill of exchange.

By the treaty, the money was to be paid by the French government at Paris, "into the hands of such person or persons as shall be authorised by the government of the *United States* to receive it." In order, therefore, to obtain the money, it was necessary that a person should present himself at Paris, with the usual testimonials from the government of the *United States*, of his authority to receive it. And the evidence of his authority, according to the laws which regulate the intercourse between nations, must be furnished by the president of the *United States*, through the department charged with our foreign relations. This was done in the power executed by the president, before referred to. It was this power, and not the bill, which authorised the demand upon the French government for payment. The bill, without this power, would have been insufficient; but the power without the bill would have been sufficient. If the bill had been presented alone, the French government might have refused to pay, without any violation of its engagements. It was necessary that the person demanding the money from the French government should have authority, accompanied by the customary testimonials in the intercourse between nations, to receive it.

This authority the instrument executed by the president gave, but none such was conferred by the bill alone. In truth, the bill of exchange and the endorsements contributed in no degree to the authority of the holder to demand or receive the money. His right to demand depended upon the formal power executed by the president; and the bank, or its assignee of the bill, became entitled to demand it by virtue of this power, and not by virtue of the bill or the endorsements on it. The bill itself, and the endorsements on it, did nothing more than designate the person whom the government of the *United States*, by the instrument executed by the president according to the treaty, had authorised to receive it. The government and the bank show, from the instruments executed, that neither of them regarded the bill of the secretary of the treasury as sufficient to authorise the bank or its endorsee to receive the money; for the bill standing alone, had no authentication which would entitle it to be regarded by the French government as sufficient evidence of the authority of the holder to receive the money. The question, then is, did the act of Maryland, of 1785 (under which these damages are claimed) intend to give fifteen per centum damages on an instrument in the form of a bill of exchange, which the parties to it knew had none of its substance and qualities, and upon the authority of which the payee himself did not rely? or did the act mean to give damages on those instruments only which are recognized and known in the commercial world as bills of exchange, and possessing all the qualities of such instruments? The act obviously alludes to the bill itself, and the endorsements on it are sufficient of themselves to convey the right to the holder, and not to instruments in the form of bills, which give no authority, and are merely useful in designating the person on whom another instrument has devolved the power to receive the money. If the power given by the president to the cashier of the bank, or his assignee of that instrument, as the person authorised to receive the amount due to the *United States* from France, and the bill had been endorsed to different persons, it is very clear that the assignee of the instrument executed by the president, and not the assignee of the bill, would have been entitled to demand the money. The bill of the secretary was therefore one of the forms in which, for the sake of convenience, the government gave its authority to the bank to receive the money, and it is evident, from the papers executed, that the bank, as well as the government, so understood it. The parties to the bill in question, and the bill itself, is not therefore, in the opinion of the committee, such an instrument as the act of Maryland, 1785, contemplated, and that the bank is not entitled, as a *mere strict legal right*, (independent of the manifest injustice of the demand,) to claim the 15 per cent. damages by virtue of that law. If an instrument, in the shape of a bill of exchange, forming a part of such a transaction as this, between two governments, is not to be regarded as the bill of exchange known in the usage of trade, then the liabilities on bills of exchange will not apply to it, by force of the law which regulates contracts amongst private persons.

The government is ready fully to indemnify the bank against loss in this transaction, and the bank cannot, either in law or justice, demand more. The committee think the bank had forfeited all claims to be any longer trusted with the keeping of the public moneys, and that the secretary would have failed to perform his duty, had he permitted the public moneys longer to remain with the bank.

In his annual message of December, 1829, the president of the *United States* expressed his doubts of the constitutionality and expediency of the bank of the *United States*. This part of the message was referred to the committee on finance in the senate, and to the committee of ways and means in the house of representatives; both of which made reports in favor of the bank, which were ordered to be printed by congress. It appears that the bank, not content with the circulation of these imposing documents, through extra copies printed at the public expense, through the newspapers, and all the usual channels of communication to the people, applied its corporate funds, and exerted its corporate power, to multiply and circulate them through pamphlets and extra newspapers into every part of the union.

In November, 1830, an article on banks and currency, exhibiting great research and much talent, appeared in the *American Quarterly Review*, which was by the president of the bank submitted to the board of directors, with a suggestion as to the "expediency of making the views of the author more extensively known to the public than they can be through the means of the subscription lists." The board, therefore, adopted the following resolution, viz: "*Resolved*, That the president be authorised to take such measures in regard to the circulation of the contents of an article on banks and currency, published in the *American Quarterly Review*, either in whole or in part, as he may deem most expedient for the interests of the bank." Here was no limit to the president's discretion, or the amount which he was authorised to expend. His power was very extensively exerted.

In his annual message of December, 1830, the president reiterated the opinion previously expressed by him in relation to the bank of the *United States*. The subject was not agitated in congress at that session, and that body adjourned on the 3d March, 1831. The subsequent session of congress was necessarily to be the long session, immediately preceding the presidential election. On the 11th March, 1831, a resolution was adopted by the bank, as reported to the president of the *United States* by the government directors, authorising the president

of the bank to cause to be prepared "and circulated, such documents and papers as may communicate to the people information in regard to the nature and operations of the bank." By this resolution, the president was authorized, not to cause specific papers to be printed and circulated as before, but power was conferred upon him to hire writers, for the purpose of preparing documents and papers, without designation as to their character or numbers, to employ printers to print them, and carriers to distribute them. Neither was there any restriction as to the amount of funds which he was authorized to employ in carrying into effect this new system for disseminating information among the people. A short time after the passage of this resolution, conferring upon the president of the bank such extraordinary and unusual powers over the funds of the bank, a negotiation commenced, (as appears by the evidence accompanying the report of the investigating committee in 1833), in relation to a press in New York, in the progress of which the president of the bank, on the 26th day of March, 1831, advanced \$15,000, which was not entered on the books of the bank as a loan until January 2d, 1832. The paper which had before that time been decidedly opposed to the bank, immediately became its advocate; and in a few months, the notes discounted for its benefit amounted to \$52,975, and at periods of from six months to five years, the last of which did not fall due until the year 1836, and several months after the bank charter would expire. These were credits altogether unusual in the regular business of banks. About the same period large sums were advanced to editors of political papers in other parts of the union. During this period a most unprecedented extension of loans was granted by the bank. For some years, its loans had not varied much in the aggregate from forty millions of dollars. In October, 1830, they amounted to \$49,527,523. From that time they began rapidly to extend, and on the 1st of May, 1832, amounted to \$70,428,007. In eighteen months the extension was near thirty millions, being at the rate of about two millions per month.

Whilst these accommodations to editors, and this great extension of its loans, were in progress, the bank in December, 1831, applied for a renewal of its charter, which then had upwards of four years to run. A bill to renew it passed both houses of congress, was presented to the president of the United States, and on the 4th of July, 1832, received his veto.

The president was then a candidate for re-election, and that question was to be settled in November of that year. The power given to the president of the bank by the resolution of the 11th March, 1831, was during that and the succeeding year exerted with great industry. The fact of the existence of this resolution, and the expenditures under it, came to the knowledge of the president for the first time, through the report of the government directors, during the last summer. From that report it appears, that for the last half of 1829 these expenditures were \$3,765 94, giving as an average for the year \$7,531 88. In 1830 they increased to \$14,081 47, about \$7,000 of which were "for printing and distributing the report of the committee of ways and means, and Mr. Gallatin's pamphlets." In 1831 they increased to \$43,304 79, and in 1832, they were \$38,667 88, of which \$25,543 72 were incurred in the last half year, including the general election; so that these expenditures continued to increase from 1829 up to the presidential election.

So far as communicated by the government directors, the documents and papers printed and distributed with this money, appear to have been chiefly reports of committees in congress, and speeches of members friendly to the bank, and generally opposed to the president; extra newspapers containing similar matter, and other electioneering matter calculated to defeat the election of the president; reviews of speeches and of the veto prepared with the same object; addresses to state legislatures, and editorial articles in favor of the bank.

It is further stated by the government directors, that for about \$24,000 of the expenditures, no vouchers whatsoever had been rendered. The several sums were paid on the orders of the president of the bank, referring to the resolution of 11th March, 1831, as his authority to make the expenditures, but not stating the persons to whom they were paid, or the purposes for which they were expended. Nor does it appear that the board of directors, or any committee of the board, or any other person, except the president of the bank and the parties receiving the money, passed upon the claims, or know for what object this large expenditure was incurred. As the government is the owner of the fifth of the capital stock of the bank, one fifth of this unwarrantable expenditure was the money of the people.

In this narrative of facts are found ample reasons to justify the secretary in the removal of the deposits. It seems impossible to resist the conviction, that from 1829 down to November, 1832, the bank was managed with reference to the presidential election; that all its mighty means and power were exerted to influence and control the people in the exercise of their right of suffrage, and secure a recharter, by filling congress and the executive offices with its friends and supporters. It was said by a wise man of antiquity, "that the borrower is the servant of the lender"—and with equal truth it has been recently asserted, that "he who controls a bank, controls the debtors of that bank." No adequate motive can be conceived for the unprecedented extension of the business of the bank from forty to seventy millions of dollars in eighteen months, but a determination to make as many debtors to the bank as possible, and thus bring multitudes of men under its control. Through the fear of being pressed too severely for repayment it might have been reasonably expected that most of these debtors, and the friends they

could influence, would support the bank in a struggle for a recharter. While this process of extension was going on, numerous editors of political papers appear to have received large sums of the bank's money, and were thus prepared to advocate measures or men, as the ultimate interests or views of that institution or its managers might indicate or require. Contemporaneously the funds of the bank were put at the disposal of its president, to be used without limit, and their expenditure sanctioned without vouchers, as a means of accomplishing the great design.

Connected with these operations was the conduct of the bank during the same period, in the three per cent. transaction, examined by a committee of congress. Last year, whereby the bank attempted to baffle the government in its efforts to pay the public debt, and secretly sought the aid of foreign bankers to influence its means to control the government. "In addition to its faithlessness to the government, the bank seems to have formed a foreign alliance, and procured foreign aid, in its war with the president of the people. The three per cent. transaction was condemned by the committee of ways and means last year, as already stated, and the pretences on which it sought to be justified, declared to be unfounded. Of itself, it would have justified a removal of the deposits; but it seems to have been but an incident in a grand scheme, to make our whole people and their government subservient to this moneyed incorporation. A scheme, which, if successful, would have left us but the name of a republic.

But the bank was not content to submit to its fate and execute its duties as a faithful agent of the government, when, with all its debtors, its presses, its advocates, its foreign aid, hired writers, and extra documents, it received the decisive rebuke of the American people in the result of the presidential election. During the last summer, one of the government directors, by being placed on the dividend committee, a temporary body appointed every six months to ascertain what dividend shall be declared, discovered in the expense account of the bank, some of those items for printing which have since been reported. On consulting his colleagues, the other government directors, they deemed it their duty to inspect that account. Having done so, and found that it gave no definite information relative to large portions of the expenditure, they brought the subject before the board, for the purpose of obtaining more certain information and rescinding the resolutions under which it had been incurred. Not only did the board refuse to cause the account to be stated with such precision that it could be understood, and to rescind the resolutions of the 30th of November, 1830, and March 11th, 1831, but, instead thereof, resolved as follows, viz:

"That the board have confidence in the wisdom and integrity of the president and in the propriety of the resolutions of 30th November, 1830, and 11th March, 1831, and entertain a full conviction of the necessity of the renewed attention to the object of those resolutions; and that the president be authorized and requested to continue his exertions for the promotion of that object."

This was the formal sanction of the board given to the acts of their president under their former resolutions, and he was stimulated to renewed vigilance in employing writers and presses to influence the public mind. Thus, expressly did they approve of the expenditure of the \$24,000, without vouchers, and promise to their president future immunity and irresponsibility for the use of any larger sum.

Corporations have no powers but such as are granted in their charters, and those necessarily incidental. As an incident, the bank of the United States has an unquestionable right to procure and pay for bank notes, the necessary blanks and such other papers as are requisite in the transaction of all business which it may be expressly authorized to perform by its charter. When it proceeds further, and prints documents, speeches, handbills or newspapers, it transcends the power granted to it. The bank of the United States was not created "to communicate to the people information in regard to" its own "nature and operation" or the acts of their chosen rulers. The people supposed they understood its "nature and operation" before they gave it existence, and they tolerated its establishment as a servant, and not as a teacher. Few would have been found to advocate its creation, if it had been a provision of its charter that it might apply its corporate funds to the printing and circulation of such congressional reports, speeches and other political documents, as its managers might deem useful in conciliating public opinion to its management, and circulating denunciations against the constituted authorities for their official acts. Certainly no friend or enemy of the bank at that time conceived that the bank had a right to employ its corporate funds for the purpose of teaching the people how to estimate the acts of their representatives, in either the executive or legislative branches of the government. The idea that such a right was veiled under the charter, or any of its provisions, would have been fatal to its passage. Is it less alarming that it has now usurped the right?

The conduct of the bank, in this respect, has been attempted to be justified on the ground of self defence. The error in this point consists in considering the bank and its managers as identical. The bank has not been attacked. The president of the U. States, in his messages to congress, has expressed his opinion that the charter ought not to be renewed, and has put his constitutional veto on a bill passed by congress for that purpose. But this was no attack upon the corporation, for, to a renewal of its

charter it had no legal right. None of the chartered rights of the bank have been wrested from it; no judicial process has been instituted to vacate its charter. When such attacks are made, no man will complain of the bank for defending itself in the courts by the employment of counsel, and paying their fees out of the corporate funds. But the president and directors of the bank have no right to use the funds of the institution in making publications vindicatory of their own management, or tending to show that the president of the United States has been guilty of usurpation of power, or dereliction of duty in refusing his assent to a renewal of its charter. These are matters which belong to the forum of the public; into the discussion of which the managers of the bank, in common with other citizens, had a right to enter, not in their corporate, but in their individual capacities, and at their own expense. The managers of the bank, if assailed for misconduct, may, like every other citizen or officer of the government, defend themselves, but not by the use of the corporate funds or power. They may expend their own money without limit, in employing writers and presses to defend them.

What would be said of the president of the United States if he were to expend the money in the treasury in printing congressional reports, and speeches, hiring writers, employing editors, printers and distributors, for the purpose of defending himself and the executive officers against attacks made upon them from sources official and unofficial? If he were to request congress to put the whole deposits of the treasury at his disposition, for such a purpose, how would it be received? If the senate and house of representatives were to employ their contingent fund in printing and circulating speeches of members, and articles prepared by hired writers, paid from the same fund, under pretence of defending the members of the house against the attacks daily made upon them, would it be tolerated by the American people?

The committee consider this delegation of unlimited and irresponsible power to the president of the bank over the whole funds of the institution, the most atrocious violation of the bank charter, and the most daring abuse of its power, which has hitherto been disclosed.

It is sufficiently alarming that the government directors have been deprived of all participation in the principal business of the bank—that its most important discounts and other business are managed by committees selected by the president, who seldom report—that the restrictive provisions of the charter have been subverted by arbitrary rules, and responsibility to the government, which owns a fifth part of its stock, in effect destroyed.

But, in addition to all this, here is a discretionary power vested in the president of the bank alone, to be exercised without the responsibility of rendering specific accounts, or vouchers, under which he may apply hundreds of thousands and millions to operate on public opinion, and through the prostration of enemies, and the advancement of friends, procure a new charter. In causing to be prepared and circulated such documents and papers as come within the scope of the authority vested in him, he may hire editors, and set up newspapers throughout the whole union, and by the use of unlimited sums of money, without appropriation or accountability, he may distribute a patronage more potent than that of many governments, because all wielded by the same hand, to secure a single object.

When the government directors, as faithful sentinels over the public interest in the bank, communicated the fact that this power had not only been assumed by the bank, but that its managers were determined that it should be wielded with renewed energy, and for an indefinite period, the secretary of the treasury was fully justified for this reason, if there had been no other, in severing its connexion with the government, and, as far as he legitimately could, lessening its power.

It will be seen by the views already taken by the committee, that in their opinion, the deposits have been lawfully removed from the bank of the United States, and the money now in the treasury has been legally deposited in the state banks.

In these circumstances, it remains to be considered, whether any, and if any, what legislation is necessary, in consequence of the change of the deposits.

It is the opinion of the committee that the bank of the United States ought not to be rechartered. The constitutional objections to it are, in their judgment, insuperable; and if its charter could be justified by the constitution, recent events have demonstrated that the continued existence of such a vast concentrated money power, must prove dangerous to the freedom and purity of our institutions.

And after the great abuses of which it has been guilty, a recharter, under any modifications, would be offering the high legislative sanction and approbation of congress, to the various acts of misconduct detailed in this and former reports to congress. It is impossible that a corporation, which is proved to have used its money to corrupt the press, to influence elections, and control the government, can ever be selected as the peculiar object of the favor and bounty of the government. The bank ought not therefore to be rechartered on any terms. And as the charter ought not to be renewed, it is manifest that the deposits ought not to be restored to it. For, setting aside the various acts of misconduct, by which the present corporation has justly forfeited the public confidence, it is obvious that the restoration of the deposits to the present bank, to be removed again in two years, would produce nothing but the most serious evil and distress to the country, without any possible advantage. The restoration of the deposits and the recharter of the bank, are,

in the judgment of the committee, inseparably connected together, and neither can with any propriety be adopted without the other.

The question then arises, whether the state banks should be continued as the fiscal agents of the government.

The committee are satisfied that the state banks are fully competent to perform all the services which the general government ought to require, in the collection and disbursement of the revenue; and to afford also all the facilities to the internal commerce and exchanges of the country, which have been derived from the bank of the United States.

The collection and disbursement of the public revenue may be safely placed where the ages who framed the constitution left it. They did not deem a national bank essential, either to the government they were forming, or to the successful administration of its finances. The opinion has already been expressed, that the state banks are competent to perform all the duties which the government or the public convenience may require. And there are many circumstances which strongly recommend them to a preference over the bank of the United States. No one of them can exercise a general control over all the others, and expand and contract the whole currency of the country at its pleasure, to favor the private speculations of individuals, or to increase its own profits. And they can never combine together for political objects, nor how to gain possession of the government, and control its operations. The state banks are now firmly interwoven with the institutions of the country. They are generally under the management of citizens as respectable, as trustworthy, as any directors of the bank of the United States. And it would be unjust, and contrary to the spirit of our institutions, for congress to sustain a great moneyed power to overawe and oppress them, and bring ruin upon multitudes of our citizens, whenever cupidity or ambition shall tempt them to exercise their power. The stock of the bank of the United States has fallen for the most part into the hands of the great capitalists of this and foreign countries, who have but little sympathy for the suffering of our people, when their own sordid or ambitious views makes it their interest to inflict it.

If it should be urged as an objection to the state banks, that they cannot afford a general currency, the answer is obvious. If it were necessary to create a paper currency, possessing equal credit with that of the present bank of the United States, the object can be as well accomplished with the state banks, as with the bank of the United States. The provision which has made the latter current every where, is the clause in the charter which compels the government to receive their notes in payment of all debts due to the public, and a similar provision in favor of the money of the United States, would immediately make their notes equally current, and ensure for them equal confidence in any part of the United States.

But the committee are not prepared to recommend the adoption of such a measure. They are convinced that all which public convenience requires, in this respect, will soon be accomplished by arrangements among the banks themselves; and that there ought to be no legislation of congress for the purpose of establishing a currency of paper.

The main object of legislation should be, to enlarge the basis of specie, on which the paper circulation of the state banks is to depend for support. And the committee are persuaded, that by the adoption of the state banks as the fiscal agents of the general government, and a judicious course of legislation founded upon it, that a sounder state of the currency than now exists would soon be attained, and the country rescued permanently from the danger of those sudden expansions and contractions of the paper currency which have been constantly succeeding each other, since the bank of the United States was established, which have brought such severe and extensive evils upon the country. The aid and co-operation of the several states may be relied on, to banish gradually the smaller notes, and introduce in their place silver and gold, for ordinary domestic purposes, and the convenience of travel between distant places. Such a reform is strongly called for by sound policy, and the best interests of the country, and the accomplishment of an object so desirable, may be mainly accelerated by laws passed by congress, adjusting the standard of value of our coins, and regulating the deposits and collection of the revenue. If gold and silver were brought into common use, and the small notes banished from circulation, payments of small sums would probably be made in specie. The great object is not to diminish the amount of the ordinary circulating medium, but to give it a broader and firmer foundation on the precious metals.

With these views, the committee are of opinion that the state banks ought to be continued as the depositories of the money of the United States, and that measures ought forthwith to be taken, to regulate by law the manner in which they shall be selected, and to ensure the safety of the public money.

According to the law, as it now stands, the duty of selecting the banks, and of prescribing the securities to be taken is devolved upon the secretary of the treasury, under the supervision of the president. This power has been heretofore exercised by the head of the treasury department, and in a manner advantageous to the public, and it is not doubted, if the law should continue unchanged, that it may and will continue to be so exercised by the head of that department—yet it is the opinion of the committee, that discretionary power should never be given, in any case, to any officer of the government, where it can be regulated and defined by law. They think that it would be more

consistent with the principles of our government, for congress to regulate by law, the mode of selecting the fiscal agents, the securities proper to be taken, the duties they shall be required to perform, and the terms on which they shall be employed.

In accordance with these views they accordingly report for the consideration of the house, resolutions declaring that the bank of the United States ought not to be rechartered, and that the state banks ought to continue to be employed as the fiscal agents of the government, under such regulations as congress shall prescribe.

Before they close this report, the committee consider it to be their duty to state, that in their judgment, a necessity exists for an immediate examination into the conduct of the bank, and they proceed to state the grounds which make it absolutely necessary, that a strict and rigorous scrutiny should be instituted. They think such an examination necessary in reference to the security of the interests which the United States as a stockholder have in the bank, as well as to correct as far as practicable, the abuses of which it has been guilty, and to prevent it from using its corporate power and money for purposes of corruption and oppression.

Numerous memorials have been referred to the committee, complaining of embarrassments in mercantile transactions, some attributing them to the removal of the deposits, and others chiefly to the subsequent conduct of the bank of the United States. That serious embarrassments exist in many of the commercial cities, cannot be doubted, and it seems necessary clearly to ascertain the cause before an attempt be made to prescribe the remedy. The powers possessed by the committee are inadequate to that object, and they are unable to do more at present, than to submit the facts which have come to their knowledge, with the course they seem to suggest. That the simple transfer of a sum of money from one bank of deposit to another, could have produced the commercial embarrassments complained of, is impossible. The public deposits have not been annihilated; nor have they been transported from the country; they are still in the country, and in the use of the community.

It is in vain that they look for the cause of embarrassment in the state of our markets, or the operations of trade. Our agricultural productions, and manufactures generally, bear a good price; foreign exchange is at its lowest rate; the balance of trade is decidedly in our favor, and the precious metals are flowing in upon us from South America, Mexico and Europe. None can doubt the power of the bank to create embarrassment whenever its managers deem it expedient. In four months, commencing with August last, and ending with November, it called in \$9,707,245 of its loans. As the state banks could not commence extending until they began to receive the public deposits in October, and from that till December could not, in their extension, keep pace with the curtailment of the bank of the United States, it is evident that such rapid curtailment by the bank of the United States must have created some sensation in the commerce of the country. But it is easy for the bank of the United States to produce universal embarrassment, without any aggregate curtailment of its accommodations, by calling in rapidly one month, letting out the next, and calling again during the third; while it loans out in one place what it curtails in another, and in this manner, falls upon all the commercial cities in rotation, it may more effectually embarrass trade than by a steady curtailment. When the policy of the bank is unsteady and capricious, producing a scarcity of money to-day, and an abundance to-morrow, to be succeeded by a greater dearth the next day, it is impossible for merchants to conduct business with safety, and prudent men will restrict or discontinue their operations. The bank has long enjoyed a large portion of the business of domestic exchange, and whenever it chooses to cut off the supply in any or all directions, embarrassment and difficulty naturally ensue.

There is much reason to suspect that the bank has been managed, for the last six months, with a view to embarrass the community, as a means of operating on public opinion, and controlling the action of government.

In the proceedings of the bank, in relation to domestic exchange, as far as known, are perceived indications of a disposition to use the power it possesses through that branch of its business, for the purpose of producing excitement and distress.

The government directors inform us, in their memorial, that on the 13th of August last, two weeks before the treasury agent, returned from his mission to confer with the state banks, and five weeks before the determination of the executive was announced, the board of directors adopted a resolution, declaring:

"That the bills of exchange purchased at the bank, and all the offices, except the five western offices, shall not have more than ninety days to run. That the five western offices be instructed to purchase no bills of exchange, except those payable in the Atlantic cities, not having more than ninety days to run, or those which may be received, in payment of existing debts to the bank and the offices, and then not have more than four months to run."

The government directors inform us, that on a subsequent day, a series of resolutions were adopted for reducing the business of the institution, and authority given to the committee on the offices to modify them at pleasure, and although a strenuous effort was made to require them to report such measures as might be directed by them to the board, the proposition was voted down.

Thus, in direct violation of the charter, and in defiance of all prudence and propriety, was the whole power of this vast and

powerful corporation to relieve or to oppress vested in a committee, who are not subject to the responsibility of even making reports to the board of directors. A few irresponsible men, issuing secret orders from their private chamber, possess more power to distress the American people, than any department of their government, or all departments, by an act short of a declaration of war. What the resolves and orders of this potent body have been, we have no means of knowing. The president of the bank who is *ex officio* a member of this committee, and undoubtedly directs its operations, is also clothed with unlimited power to set the press in motion for the purpose of promoting the views of the bank. For months, those presses which are known to have been sustained by enormous loans, and those which have received the most liberal allowances for printing, have been incessantly engaged in an effort to spread alarm and dismay throughout the land. It is impossible not to suspect that the *secret management* of the bank, and the use of its funds by its president, are in perfect concert with their dependent and devoted presses, all aiming to create a general panic, and produce the same result. That result is the restoration of the deposits, and, its certain consequence, the recharter of the bank.

If any thing was wanting to confirm, these suspicions, the alleged refusal of this bank to co-operate with the state banks in their laudable efforts to relieve the existing pressure upon the community, in the larger commercial cities, is sufficient to remove all doubts from the minds of the most incredulous.

It is due to the country, that the source of the embarrassments which oppress a portion of its commerce shall be laid bare. Should they appear to spring solely from the management of the bank, wantonly and wickedly directed to produce them, it may become the duty of congress to resort to all the means within their constitutional authority to check its career.

If it shall appear that the bank, by means of its money and the papers under its control, has wilfully and intentionally produced these embarrassments; and if its power has thus been abused, it cannot be endured that for two years longer it shall be suffered wantonly to excite alarm in the country, to direct a pressure first on one point and then on another, enlarge at one place and contract in another, for the purpose of continuing to the end of its existence the evils which there is too much reason to believe it has already inflicted on the community. If, upon examination, it shall be found that it has been guilty of such offences, its charter cannot be too soon terminated, and a *scire facias* would be imperatively demanded to put an end to its machinations against the peace and interests of the people. The government owns seven millions of its stock, equal to one-fifth of the whole amount. It is the duty of congress to see that it be not used to oppress the people and subvert the principles of our government. Of every hundred thousand dollars spent by the president of the bank, or distributed to advocates under the name of loans, and forever lost, \$20,000 belong to the people of the United States. That their property may not be wasted, that the cause of their distress may be ascertained and a remedy applied, and above all, that their own funds, and the money and power of this corporation may not be employed to subvert the principles of their government by controlling their elections—the committee deem it necessary, that there should be a thorough investigation into the alleged abuses and corruptions of that institution, and particularly into the details of its management for the last six months. To this end, they propose a resolution to invest a committee of the house with power to make such investigations.

1. Resolved, That the bank of the United States ought not to be rechartered.

2. Resolved, That the public deposits ought not to be restored to the bank of the United States.

3. Resolved, That the state banks ought to be continued as the places of deposit of the public money, and that it is expedient for congress to make further provision by law, prescribing the mode of selection, the securities to be taken, and the manner and terms on which they are to be employed.

4. Resolved, That, for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the U. States, in sundry memorials which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated; and also, what corruptions and abuses have existed in its management; whether it has used its corporate power or money to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure; a select committee be appointed to inspect the books and examine into the proceedings of the said bank, who shall report whether the provisions of the charter have been violated or not; and also, what abuses, or mal-practices have existed in the management of said bank; and that the said committee be authorised to send for persons and papers, and to summon and examine witnesses, on oath, and to examine into the affairs of the said bank and branches, and that they are further authorised to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 4—VOL. X.] BALTIMORE, MARCH 22, 1834. [VOL. XLVI. WHOLE No. 1,174.

THE PAST—THE PRESENT—FOR THE FUTURE.

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In our account of the proceedings of congress we are compelled to omit notices of many things which we have been accustomed to record; but this is of less importance than usual—for very few important things will be attended to or fully disposed of, until after the great subjects under discussion are, in some way, put aside.

In conformity with the strict rule of impartiality that we profess, with regard to what may be esteemed personal matters, at least, we have made room for the letter of Mr. Taney, and the address of Mr. McKim, in consequence of certain statements contained in the report of the Baltimore committee, charged with the memorial of the citizens praying for a restoration of the public deposits. We have added the "card" of Mr. George Brown, and shall give the response of the committee, in our next.

The committee have fully replied to Messrs. Taney and McKim, in a well-written address of considerable length, published in yesterday's "Chronicle." It makes three columns; and yet, with an earnest desire to give all the papers belonging to this matter together, it must, therefore, be postponed. We could easily put it into type, but the character of the contents of the present number is such, that, if we excluded every article over which a discretion might be exerted, the room for it could not be obtained. We cannot, as the newspapers may, "make room," for we have no advertisements to lay aside, and so relieve our pages.

The gentlemen reaffirm, in the most decided manner, the strict verity of all that they stated in their report—and of every word used by them. They reject, with much severity, the idea that any part of their report was founded on *private or confidential* communications with Mr. McKim—saying "they have not stated one word, nor referred, by the remotest allusion, to one expression used by Mr. McKim any where but in their own room," when Mr. McKim paid them a visit, after their call upon him, and remained two hours with them, conversing on the subject of their mission, &c.

We have some later news from Europe. The details are not of much interest—and we can make space only for the British king's speech on opening the session of parliament on the 4th ult.

It will be seen that Mr. Webster was prevented, on Monday last, from presenting his project with relation to the bank, by an extraordinary discussion and proceeding in the senate—but that he offered it on Tuesday. Public opinion seems much divided as to the expediency of this proceeding, at the present moment. Mr. W. however, no doubt, has viewed the whole ground, and thought it best to have some object a-head to aim at. There is a report that Mr. Wilkins will, also, present a plan for a bank, which may have the support of several of the leading friends of the administration in the senate, and it is probable that Mr. Webster's purpose was to draw out one from the other party, by taking his new position. We wish that something could be done to relieve us of the pecuniary embarrassments which beset the people, at large, and almost banish the hope of a reward for labor performed; even the products of the earth, including the most substantial and necessary articles for food and clothing, have fallen 25 per cent. in price, within the last four months. This may help the consumers, but is hard on producers, who have made engagements that were graduated by the higher or general price of their commodities. The diminished money-value of the bread stuffs and meats, or live cattle, cotton, wool and tobacco, is of an enormous amount. Flour at Wheeling has been sold for \$2 12½ the barrel, at Alexandria for \$3 75. Wheat, at Frederick, Md. 75 cents, and so on. Let us offer a rough statement with relation to this subject.

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If the general money-value of the bread-stuffs and meats, of all sorts consumed, be equal to only 30 cents per head per week, the aggregate value will amount to 200 millions per annum. Three-fifths of these, perhaps, are consumed by the producers of them, and the market-value of the remainder, at late prices, would be, say

Crop of cotton, at fair prices	\$80,000,000
Crop of wool	35,000,000
Crop of tobacco	20,000,000
	8,000,000
	<hr/>
	\$143,000,000

If the reduced price is only at the rate of 20 per cent. the money-value lost, in the whole year, would be nearly 30 millions, on these few leading articles, to the growers of them. The consumers would receive the benefit of this, *provided the price of wages were kept up, and employment could be obtained.* Instead of 30 cents per head, for an example, bread and meat might be had, at the reduction supposed, for 25 cents; but if wages declined from 100 cents a day to 50 cents, or at that rate, the loss to the laborer would be as 300 cents a week, for 5 cents gained, and so on.

The counter report of the minority of the committee of ways and means fills a large portion of the present sheet. Its length, as was the case with the report of the majority, has much interfered with the general business of the week. We hope for a little more variety in our next paper.

The minority in the legislature of Virginia have published a sixteen-column address to the people "on the deposite question, and the present condition of the country." It is signed Joseph S. Watkins, chairman, and Hugh A. Garland, secretary, and earnestly calls upon the citizens of the state not to "desert the present administration," and "betray the best interests of their country"—"commit an act of treason, and deserve the bitter curses of their children," &c. It is a discussion of matters and things in general, but especially about the bank, and the removal of the deposites.

Several extracts from *Niles' Register* of 1818, are introduced into this address. They consist chiefly of some remarks on a project then supposed to be entertained, of making "a paper currency a legal tender instead of coin"—to relieve the bank of the United States, and certain of the local banks, from the pressure caused by their own imprudent proceedings—and, certainly, never was business more wildly conducted than for some time after the establishment of the bank named, and in various respects, to say nothing of the great speculations in which some persons were engaged, and the *frauds* in which others soon after involved a considerable number of our banking institutions. To all these things we stood resolutely opposed, and, perhaps, had a degree of influence, (in the freedom with which we spoke of them), to check their progress, and finally to restore the bank to the purposes of its establishment—which was not for the benefit of some twenty or thirty huge speculators, but to furnish the people with a sound and uniform currency; and on that occasion, we said, "Give me to live under any despotism but that which springs from the *command of money*—for it is the most base and unprincipled of all." We thank the addressers for the honor conferred in quoting us. We took no ground then that we would not take now, in the existence of similar circumstances; but do not perceive how the matters stated in 1818 can be brought to bear upon the real state of things, and actual condition of the currency, at the time of the removal of the deposites, or since—so far as the bank of the U. S. is concerned. Money was abundant, and the bills of that bank better than coin, as exchangeable commodities, because convertible into coin at the will and

pleasure of its holder, and prosperity abounded; all the great pursuits of industry, in agriculture, manufactures, commerce, and the mechanic arts, flourished—and the internal trade and business of the whole country was of a mighty and yet “onward” amount—and success in all these kept down the exchanges on Europe to rates that were below real par, though the importations of foreign goods were heavy. But how stands the case now? The “*command of money*” assumed by the president of the United States, has caused so great a want of paper reducible into coin, (though coin is more abundant than it was in years past), that there is not enough of it in circulation to perform the ordinary business of the people, and the banks hold fast to the coin which they have to save themselves, if it be possible, in the ruin which seemingly impends, through the loss of public confidence and a wide-sweeping bankruptcy; and the demand for labor is immeasurably diminished, in the uncertainty of a reward for it. Bills on Europe, too, are much lower than they were a few months ago, being really nine or ten per cent. below par, *not from the successful industry of the American people, but in the want of it, and the severity of the demand for money, not for new enterprises, but to fulfil old engagements*—hence there is a depreciation of the value of property, and a state of embarrassment, which causes some men (though not yet consenting to make paper a “legal tender”) to be nearly prepared, in the desperation of circumstances, to desire a suspension of specie payments by the banks.\* This is a fearful state of things, but not the most fearful that others apprehend will, or may, ensue before the close of the present year—if present projects are persevered in.

What we said in 1818 we say still. We still fear the *command of money* as the most dangerous of all despotisms. The bank, as we believed, attempted this despotism—but failed; and a reformation was effected. Since then all has been peace and quietness, and the currency remained as steady as it was possible to keep it—for, on account of high or low prices of commodities, of excessive importations, and, for many other reasons, there must needs be occasional contractions and expansions; and, perhaps, no better evidence can be offered of the good conduct of the bank than the good will of nearly all the local institutions, *though rivals in the business of money lending*. Yet the bank had the “*command of money*”—a dangerous command, which we would not continue, nor is it probable that the bank itself wishes it, to the extent given in the present charter. But what is the new “*command of money*” doing? The power which laid dormant in the directors of the bank, has been grasped and used by the president, “on his own responsibility,” and the effect is the misery of which the people now so generally complain, and the losses which they are daily sustaining. The price, as above stated, of necessities has suddenly fallen from 20 to 25 per cent. and many hundred persons who were solvent, and, indeed, some of them rich, at this time last year, have become bankrupts, in a presidential exertion in the “*command of money*.” The power to do this is that which was and ought to be feared in the bank; but is not the less grievous when exercised by “the government.” *The principle is the same—the effect the same*. And a retracing of false steps, as to the “*command of money*,” is just as necessary now by the president, in our opinion, as it was by the bank in 1818. The withdrawal of the public deposits, with respect to their amount, is a matter of small consideration. The bank has made many times more heavy payments, on account of the United States, in the same period of time, and without any material derangement of business, unless for a short season; but it is the general want of confidence thereby produced, and the absolute necessity cast upon the bank to preserve itself against the “*command of money*” in the hands of “the government,” which forbids its heretofore confident operations, and keeps the local banks, also, continually on the “look-out for squalls!” Had the bank been permitted quietly to die a natural death, it is our serious belief that not a tith of the present evils, or those which are expected, would have ensued; for the bank, though not able to ob-

tain the favor of the government in a renewal of its charter, would not have apprehended the *hostility* of “the government” in measures adopted to wind up its affairs. It is the *abominable* of this business, that transient *political party* has entered into the consideration of matters so important as the currency of the country.

We have seen accounts since our last publication, of, we think, about one hundred meetings of the people for and against a restoration of the deposits! Most of them will, probably, be briefly noticed in our sketches of the proceedings of congress, and that is all that we can do with them.

It may be mentioned, however, that there has been one great meeting at Albany, at which, it is said, that 3,000 persons were present, against restoring the deposits—and about 3,000 signed a call for a meeting to adopt resolutions in favor of restoring the deposits. [This meeting has been held, and said to have been attended by from 4 to 6,000 persons.]

Monday last was appointed for a meeting of the stockholders of the Girard bank, of Philadelphia, for the purpose of considering the propriety of declining to receive the public deposits. This matter caused a mighty excitement in that city, an immense crowd filled the streets, and the rooms and passages of the bank were crammed with persons, and great confusion ensued; for it was rendered impossible, by the press, for the stockholders themselves to attend to the business about which they had assembled. It appears, however, that each party to the subject passed a set of resolutions—and that each claims the majority! We gather from the proceedings, however, that means have been taken, (by the party in favor of giving up the deposits), to ascertain with whom the majority rests, by receiving the signatures of the stockholders.

There was to have been a general meeting at Philadelphia, on Thursday afternoon last, of those opposed to the removal of the public deposits, at which the different classes of persons and trades, were to appear with their badges and banners—and the papers have been filled with notices of the preparations making or made for this assembly. It is probable that we may be enabled to add a few lines, if the mail arrives in season.

The Delaware committee made a report of their proceedings, with an account of their interview with the president, &c. to a meeting of the people of New Castle county, on Saturday last.

Sales of 170 shares of U. S. bank stock, at New York stock exchange on Tuesday last, 105@105½.

There are many rumors as to the substance of the message of the president on a renomination to the senate of certain gentlemen for directors of the bank. It is said to contain a declaration that he will name no others—and added, that an appeal from the senate to the people will or may be made. We hope this is a mistake. It relates to a matter in which the senate has a perfectly concurrent right and power with the president—standing, indeed, in a more lofty position than the executive itself. The nominations of the president generally are, as they ought to be, treated with the greatest respect; but so should also the disapprovals of the senate. In such things it is not easy to believe that the latter has acted on what may be called party grounds. For a striking example, Mr. Henshaw, the collector at Boston, a gentleman remarkable for his party zeal, but who is reported an excellent officer, received every vote of the senate on his nomination for reappointment. A majority of the senate believes that the late “government directors” of the bank are enemies of the bank—committed, in fact, to carry on a war against an institution in which seven millions of the money of the United States are invested—and the fitness of the gentlemen, surely, the senate may and should be careful to ascertain. Mr. Bayard, though as decided a friend of the administration as either of those renominated, was promptly approved by the senate; and so would others, we presume, if well known as opposed to a renewal of the charter of the bank, but untrammelled by former proceedings.

\*This, indeed, has been broadly thrown out, as to the safety fund banks of New York—and the authority of the legislature invoked to sustain the proceeding, “to uphold the president and crush the monster!”

The legislatures of *Maryland, Virginia and Ohio*, have recently adjourned—the house of delegates, of the former, 38 to 36, passed certain resolutions approbatory of the removal of the public deposits. *William Badger* ["Jackson"] has been elected governor of *N. Hampshire*, without opposition. The charter, or town elections, in *N. York* are contesting with unusual activity. The array of the contending parties in *Virginia* is more resolute than it has been for many years, each party seems sanguine of success, and both have addressed the people at much length.

The "National Intelligencer" of Thursday last contains the speech of Mr. *Adams*, on presenting the resolutions of the legislature of Massachusetts, and Mr. *Polk's* in reply; Mr. *Lincoln's* speech on presenting the memorial of Worcester county, signed by 6,207 of his fellow citizens, praying for a restoration of the deposits, &c. Mr. *H. Everett's* when presenting like resolutions of a county meeting held at Woodstock, Vt. and Mr. *Tomlinson's*, in the senate, introductory to a memorial of the people of Bridgeport, Con. signed by 380 legal voters of that town, which contains but a few more than 400, in all.

In ordinary times, all of these speeches would have been registered—but they cannot now be, by us. Mr. *Polk* undertook to lecture Mr. *Adams* because of the freedom of his remarks when commenting upon the resolves of Massachusetts, which produced from the latter the following very severe remarks and quotation:

After Mr. P. had concluded—

Mr. *Adams* requested Mr. *Pinckney*, of South Carolina, who claimed the floor, to indulge him merely to say, that he had no reply to make to Mr. *Polk*; adding, I shall never be disposed to interfere with any member who shall rise on this floor and pronounce a panegyric upon the chief magistrate.

"No! LET the candied tongue lick absurd pomp,  
And crook the pregnant hinges of the knee,  
Where TURF may follow lawning!"

J. W. Bouldin has been elected to congress from the Charlotte district, Va. as the successor of his late brother judge Bouldin. It is a curious circumstance, that his competitor was B. Tucker, half-brother of John Randolph, who was judge Bouldin's predecessor in the same seat. This is the third election, held in that district for the same session of congress. J. W. B. is friendly to the administration, and against the bank.

We have a list of the *United States* custom house officers at New York, and of the corporation officers of that city, with the amount of the compensation received by each person. The number of the first is 923, the amount of their compensation 340,000 dollars! The number of the second is 171, and, including the watchmen, 719, and the amount of their compensation 248,337 dollars—together 1,042 persons, and 588,337 dollars; and the corporation officers, besides, disburse very large sums, and have many hundred persons in constant employment. When we get a table also of the state and other officers of the *United States* in that city, we may present a view of the whole together.

We are not "panic makers"—but duty requires us to say, there are strong reports that two of the deposit banks in the south had stopped payment—in one of which "the government" had about a million of dollars.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

##### SENATE.

March 14. Mr. *Wright* presented the proceedings of a meeting of the inhabitants of the town of Brooklyn, N. Y. and also a memorial on the same subject from the same town, approving the removal of the deposits, and pronouncing the chartering of a national bank unconstitutional, &c.

Mr. *Prentiss* presented the proceedings and memorial of a convention of delegates from the several towns and counties of the state of Vermont, disapproving the removal of the public deposits and praying a restoration thereof to the bank of the *United States*.

Mr. *McKean* presented the proceedings of a large meeting held in the city and county of Philadelphia, approving the action of the executive government in reference to the removal of the public deposits. [The matters stated in the three preceding items, were read, and referred and ordered to be printed.]

Mr. *Pointexter* reported a bill prescribing the manner and time of advertising the sales of the public lands; which was read and ordered to a second reading.

Mr. *Pointexter* gave notice that he would, to-morrow, ask leave to introduce a resolution authorizing the committee on public lands to employ a clerk to take down the testimony of witnesses summoned to appear before said committee, touching the alleged frauds in the sales of public lands.

The senate then resumed the consideration of the special order of the day, but the secretary of the treasury's reasons, &c. for the removal of the deposits, when

Mr. *Tallmadge* resumed his speech, but before he concluded, he gave way to a motion to adjourn—and the senate adjourned to Monday.

March 17. The vice president submitted certain resolutions adopted by a portion of the people of *Shanandoah* county, *Virginia*, in support of the removal of the deposits—whereupon Mr. *Tyler* rose, and, after professing his willingness to bring to the knowledge of the senate the sentiments and feelings of any part of the people of his state, he spoke in terms of lofty praise of the good character of the citizens of *Shanandoah*—but expressed a belief, that, if the people of that "republican county" had had the same light on the subject as he himself possessed, there would not have been any difference of opinion between them and himself.

The chair communicated a paper containing the proceedings and resolutions of a meeting of citizens of *York* county, *Pennsylvania*, friends of the administration, in favor of the removal of the deposits from the bank of the *United States*, and against the recharter of that institution; and, it having been read—

Mr. *Wilkins* moved that it be referred to the committee on finance and printed.

This matter produced a debate which lasted all day—in which a majority of the senate took part. We cannot do more than briefly notice its cause, and shew a few of the principal points made or referred to.

The proceedings first mentioned contained several offensive parts. Of the nature of the aspersions which it casts upon members of congress, some judgment may be formed from the following extract from what it contains concerning one of them:

"One word in conclusion: Daniel Webster, how a senator and a champion of the bank was, at its creation, a member of the house of representatives. Then the bank was not his client, and he was opposed to it. His unbiassed opinion, as a representative of the people, was in direct opposition to what he now holds; but now he is 'concerned for the bank;' (in legal phraseology), and no doubt finds it a good fat client, as it has already disposed of more than fifty thousand dollars in the shape of fees. In 1816, he was alarmed at the dangerous powers such an institution could make its own, and he raised his voice for a sounder currency than mere promises to pay, with nothing wherewith to fulfil such promises. He then said, 'gold and silver currency was the law of the land at home, and the law of the world abroad, and that, in the present state of the world, there could be no other currency.'"

Before presenting the paper, the vice president directed the attention of Mr. *Wilkins* to the preceding and other objectionable passages, and the latter was ready to take the responsibility of striking them out, to which also Mr. *McKean*, with indifference as to the subject, assented—and they were so marked as not to be read by the secretary to the senate. After the reading, Mr. *Webster* rose and stated that he had been advised of the character of these proceedings, which he stated, on the information of persons of the highest respectability, some of whom he named, had been issued by the minority of the meeting held in *York*, and he offered a protest against them which had been sent to him; he also read a letter from *York* which concluded with saying "there are enough administration men who have changed to revolutionize this state—if they will stay changed."

After the names attached to the resolutions had been read, Mr. *Preston* asked "how came this paper before the senate?" The vice president answered that he had received it in a letter addressed to himself, which was read; and in explanation, the vice president stated the facts as to the suppression of the exceptionable paragraphs, as briefly noticed above. Mr. *Preston* then asked—Did the chair mean to state that the obliteration took place after the paper was in the possession of the senate, and that it was done with the knowledge of the vice president? To which the chair assented.

After some further remarks of Mr. *Webster*, in which he said that he had felt it his duty to notice this "miserable statement," though for himself he would rather have permitted such idle and ridiculous scandal to have passed unnoticed by him—

Mr. *Preston* rose, and warmly denied the right of any person to alter or mutilate a petition—the right to petition being a sacred one—and he protested against the alteration made after this paper was in the custody of an officer of that house. Mr. *Wilkins* explained the part that he had taken in this matter. It was obvious, he said, on the face of the fact, that the striking out matter which was individually offensive to a member of the senate, could not have proceeded from any improper motive; and it did not change, in any essential point, what the people of *York* had presented; and he added that there was another paragraph in the proceedings which ought not to be there. He then spoke of the protest against the proceedings of the meeting, and made light of it, and concluded by saying—"As to the erasure, it might have been unjustifiable, as he had be-

fore said, but it was made entirely out of delicacy to the member assailed. If this motive was not sufficient to justify the act, it ought, at least, to excuse it."

Mr. *Preston* replied, and insisted that the mutilation of the paper had changed its character—and that it was wrong, because that paper was in the possession of an officer of the house—individual signers might do what an officer should not do, &c. Mr. *Clay* followed, and said that the conclusion of Mr. *P.* was a just one—it was evident that if a right existed in an officer to make an erasure, there was also a right of insertion; and he asserted that the paper had lost its "identity"—it was not "a genuine document." After he had concluded, the vice president stated the question, "shall the petition be received?" and a long debate followed, the various questions raised being discussed by Messrs. Kane, King, of Geo., *Preston*, *Wright*, *Leigh*, *Bibb*, *Poindester*, *Mangum*, *McKean*, *Black*, *Callhoun*, *Clayton*, *Webster*, *Forsyth*, *Brown*, *Sprague*, and the *chair*. The debate lasted until half past 5 o'clock, and was listened to by one of the most closely packed auditories that ever filled the galleries of the senate. Finally—the senate refused to receive the communication\* presented by the chair, by the following vote:

YEAS—Messrs. *Benton*, *Brown*, *Forsyth*, *Grundy*, *Hendricks*, *Hill*, *Kane*, *King*, of *Ala.*, *King*, of *Geo.*, *Linn*, *McKean*, *Mangum*, *Morris*, *Robinson*, *Shingley*, *Tallmadge*, *Tipton*, *White*, *Wilkins*, *Wright*—20.

NAYS—Messrs. *Bibb*, *Black*, *Callhoun*, *Clay*, *Clayton*, *Ewing*, *Frelinghuysen*, *Kent*, *Leigh*, *Moore*, *Naudkin*, *Poindester*, *Porter*, *Preston*, *Robbins*, *Silsbee*, *Smith*, *Southard*, *Sprague*, *Swift*, *Tomlinson*, *Waggaman*, *Webster*—21.

The senate then, soon after adjourned.

March 18. After other proceedings—Mr. *Webster* rose and presented a protest against the recent measures of the executive in the removal of the deposits, &c. signed by 6,841 voters and tax-payers of Boston, which had just been brought to the seat of the national government by a most respectable committee. Mr. *W.* proceeded, at length, to shew the character of the signers, and referred, with much force and beauty, to times long past, and he commented on the proceedings of the executive at much length and with great freedom. We can only make room for the following paragraphs:

"They thought that the effect of the measure was to produce, to augment, the rapidity of certain tendencies which they believed had attended the government for some years past, and that was the tendency to increase power and influence in the executive hands. They were of opinion, that the subtraction of the public revenue from a custody where it was under the eye of congress—to a custody where it was only under the eye of the secretary of the treasury, was one great proof of the existence of that tendency to increase power. Were they not right? Where were the public treasures of the United States? No man in that senate knew; no man in the other house knew. The last time that the senate had heard of them they were deposited in certain banks not created or fixed by its will. They might be changed, for aught the senate knew, within the last half hour, to some other place, which it knew not. What was (said Mr. *W.*) the condition of the treasury six months ago? Was it situated as it is now? Did not every member know where the money was then?—and had not congress an account of it, and could see that it was all there? Had congress any such right now? Had that house, or the other, the power to go to the bank of the Metropolis, or to the Manhattan bank, in order to see that the money deposited in these places was safe? The executive had now the preservation of the public treasure, and congress had no control over it.

"It was a fact not to be denied, that every dollar of the public money—ordinarily eight or ten millions—between the moment of its receipt at the custom house and the land offices—from the moment of its appropriation under the authority of law, was under the entire, exclusive government of the secretary of the treasury—congress knew not where—congress declared not how."

He was followed by Mr. *Silsbee* who made a few remarks on the competency of the signers to form correct opinions on the subjects presented by them; and Mr. *Sprague*, more at length, bore a like testimony, and with reference to Boston, said—

"It was from the same source; it was under the same roof, as has been so well remarked by the gentleman from Massachusetts, that memorials, protests and petitions, were transmitted to the British parliament. Those memorials, protests and petitions, denounced, at that time, an act of political power, seizing their money without the consent of either themselves or their representatives. The descendants of those people come now, and protest against an act of political power, also seizing their money without their consent, or the consent of their representatives. The memorials, protests and petitions sent to the British parliament were contemned. He trusted that a different fate awaited those which were now sent to congress. The memorialists had come hither because they thought that they lived, or ought to live, under a government of laws. They have come here with faith in law, and in the national legislature, and ask for relief and for redress.

"It has been remarked, that they did not go to the executive mansion, they did not pass by the halls of congress, to lay their complaints at the feet of the executive. They believed that the executive had no right to interfere: and the manner in which

the other committees who had come hither, were treated by the chief magistrate, had prevented them from exposing themselves to similar treatment. Their behaviour to the chief magistrate in the city of Boston, shows that they know how to respect the official dignitaries of the county: their refusal now to go to him, shows that they know how to respect themselves."

The memorial was then read, and referred to the committee on finance, and ordered to be printed.

Mr. *Webster* then rose to introduce the bill, of which he had given notice, and which is as follows: A bill to continue for the term of six years, the act entitled "an act to incorporate the subscribers to the bank of the United States."

Be it enacted, &c. That the act entitled "an act to incorporate the subscribers to the bank of the United States," approved on the tenth day of April, in the year one thousand eight hundred and sixteen, shall continue in full force and effect for the term of six years, from and after the period therein limited for its expiration, to wit: the third day of March, in the year one thousand eight hundred and thirty-six; and that all the rights, interests, properties, powers and privileges secured by the same act, with all the rules, conditions, restrictions and duties therein prescribed and imposed, be and remain after the said third day of March, in the year one thousand eight hundred and thirty-six, during the said six years, as if the said limitation in the said act, had not been made; provided, nevertheless, that so much of the said act as declares that no other bank shall be established by any future law of the United States, during the continuance of the corporation thereby created, shall not be continued by this act; but that it shall be lawful for congress, whenever it shall see fit, to establish any other bank, to come into existence and operation at any time, on or after the fourth day of March, one thousand eight hundred and thirty-six.

Sec. 2. And be it further enacted, That all the public moneys accruing to the United States, and becoming payable from and after the passage of this act, in places where the said bank, or any of its offices, is established, shall be deposited in the bank of the United States and its offices as heretofore; provided, That, at any time after this act shall have been accepted, congress may, by law or joint resolution, cause such moneys to be withdrawn and removed to any other custody or place of deposits.

Sec. 3. And be it further enacted, That, in consideration of the benefits and privileges conferred by this act, the said bank shall pay to the United States the annuity or yearly sum of two hundred thousand dollars, which said sum shall be paid, by the said bank, on the 4th day of March, in each and every year, during the said term of six years.

Sec. 4. And be it further enacted, That congress may provide by law, that the said bank shall be restrained at any time after the third day of March, in the year one thousand eight hundred and thirty-six, from making, issuing or keeping in circulation, any notes or bills of said bank, or any of its offices, of a less sum or denomination than twenty dollars.

Sec. 5. And be it further enacted, That, any time or times within the last three years of the existence of said corporation, as continued by this act, it shall be lawful for the president and directors to divide among the several stockholders thereof, such portions of the capital stock of the said corporation as they may have withdrawn from active use, and may judge proper so to divide.

Sec. 6. And be it further enacted, That so much of any act or acts of congress, heretofore passed and now in force, supplementary to, or in any wise connected with, the said original act of incorporation, approved on the tenth day of April, in the year one thousand eight hundred and sixteen, as is not inconsistent with this act, shall be continued in full force and effect during the said six years, after the third day of March, in the year one thousand eight hundred and thirty-six.

Sec. 7. And be it further enacted, That it shall be the duty of the president and directors of the said bank, on or before the first day of the next session of congress, to signify to the president of the United States their acceptance, on behalf of the bank of the United States, of the terms and conditions in this act contained, and if they shall fail to do so on or before the day above mentioned, then this act shall cease to be in force.

Previous to the introduction of the bill, Mr. *Webster* addressed the senate at some length, expounding the situation of the country, the opinions of the committee, and his own views, in the presentation of this measure.

Mr. *Leigh* then gave the reasons which would compel him to vote against the prolongation of the charter of this bank, or the charter of a new one; at the same time he threw out the idea that a condition of things might be developed which would change both the views of the state of Virginia and his own, on the subject of the bank.

On motion of Mr. *Wright*, who then expressed a desire to give some views, the senate adjourned.

March 19. Mr. *Tomlinson* rose and presented the memorial of the merchants, manufacturers and other citizens of the town of Bridgeport, in Connecticut, signed by 380 voters, against the removal of the deposits. Mr. *T.* stated that there were but 400 legal voters residing in the town; and entered into a very interesting history of the place, and testified in the strongest terms to the high character of the memorialists.

Mr. *McKean* presented the proceedings and memorial of 700 cabinet makers, piano forte makers and other mechanics of the

\*So called in the motion—as being the proceedings of a meeting.

city of Philadelphia, also opposed to the removal of the deposits.

Mr. *Bibb* presented similar proceedings of a meeting of the citizens of Madison county, Kentucky.

Mr. *Waggaman* presented the resolutions and memorial of a meeting of the merchants of New Orleans, also opposed to the removal of the deposits.

Mr. *Nungun* presented a memorial signed by 250 citizens of Plymouth, North Carolina, of a similar character to the above; he stated that the voters of the place were about 450.

All the above memorials, resolutions, &c. were read, referred to the committee on finance and ordered to be printed.

Mr. *Freston* reported the bill to increase and regulate the pay of surgeons and assistant surgeons in the army of the U. States, without amendment.

On motion of Mr. *Webster*, the bill from the house of representatives making appropriations for the support of the army of the U. States, for the year 1834, was taken up, twice read by unanimous consent, and referred to the committee on finance.

Mr. *King* reported a bill making appropriations for the repairs of the military road to Mars Hill, in Maine, which was read and ordered to a second reading.

The chair then announced the special order of the day, being the unfinished business of yesterday, the bill to continue for a limited time the charter of the bank of the United States.

Mr. *Webster* said, as the gentleman from New York (Mr. *Wright*) had expressed a wish to say something on this subject, and as the senator from S. Carolina also wished to say something on it, he would move to lay the bill on the table, and thus give the other senator from New York (Mr. *Tallmadge*) an opportunity of continuing his remarks on the other special order, the removal of the deposits. He would make this motion now, at the same time giving notice that he would call up the bill at an early hour to-morrow.

The motion was then agreed to.

The chair then announced the second special order, being the report of the committee on finance, and the resolutions offered by Mr. *Clay*; when—

Mr. *Tallmadge* resumed his observations commenced last week, in defence of the removal of the deposits, and in vindication of the power exercised by the executive, and continued until near 5 o'clock, when he concluded.

And, on motion of Mr. *Clay*, the senate adjourned.

March 20. The chair communicated a report from the war department, transmitting copies of the Army Register for 1834.

Various memorials, petitions and reports, were presented and made, on private claims, and referred and disposed of.

On motion of Mr. *Webster* the senate resumed the consideration of his motion for leave to introduce a bill to continue, for a limited time, the charter of the bank of the United States; when

Mr. *Wright*, Mr. *Webster* and Mr. *Leigh* successively addressed the senate on the subject, and, on motion of Mr. *Calhoun*, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, March 14. Nearly the whole of this day was given up to the consideration of private or local business, and a large number of bills for the relief of individuals were considered, and ordered to be engrossed or passed.

The consideration of the resolution of Mr. *Mardis*, on the subject of the deposits, being the unfinished business of the morning—

Mr. *Burges* resumed the course of his remarks in opposition to the resolution, and continued to speak for some time, though in a state of indisposition, when he gave way for a motion to postpone the further consideration of the resolution to to-morrow.

The army appropriation bill was then considered, amended and ordered to be engrossed for a third reading—when the house adjourned.

Saturday, March 15. The resolution of Mr. *Mardis* respecting the public deposits, was taken up.

The speaker informed the house that he had received a letter from Mr. *Burges*, stating that he was prevented by indisposition from attending the house to day, and requesting that the consideration on the resolution be postponed till Monday.

On motion of Mr. *Whittlesey*, of Ohio, the further consideration of the resolution was postponed till Monday.

The army appropriation bill was read a third time and passed.

The house proceeded to consider a joint resolution for the purchase of certain books, for the use of the new members, the question being on the amendment reported from the committee of the whole, for the purchase of additional copies of *Gales & Seaton's* debates, which amendment being agreed to, the resolution, as amended, after an animated debate, which lasted till near 4 o'clock, in which several gentlemen took part, was agreed to, and the house adjourned.

Monday, March 17. The consideration of the Virginia resolutions on the removal of the deposits being the unfinished business of the morning, Mr. *Pinekey*, of S. C. who was entitled to the floor, at the request of Mr. *Adams*, of Mass. waived his right, in order to allow the presentation of memorials.

Memorials favorable to the restoration of the deposits were then presented by the following persons:

By Mr. *Jarvis*, of Maine, from inhabitants of Eastport; by Mr. *Swans*, from inhabitants of Lubec, Maine; by Mr. *Gorkham*, from nearly 7,000 citizens of Boston, all of them voters in that

city; by Mr. *Lincoln*, from 6,207 citizens of Worcester, Mass.; by Mr. *Everett*, of Vermont, from delegates from all the towns of Windham county in that state; and by Mr. *Fillmore*, from 729 citizens of Buffalo, New York, all praying for a restoration of the deposits, which were severally read, ordered to be printed, and referred to the committee of ways and means. Mr. *Adams* presented the resolutions of the Massachusetts legislature, also disapproving of the removal of the deposits, and applying to congress for relief. On presenting them Mr. A. went very much at length into an explanation and commentary on the several resolutions, which he read in succession, and moved that they be referred to a select committee, and that his motion and the resolutions, for the present, lie on the table. He withdrew his last motion at the request of

Mr. *Polk*, who replied to Mr. A. in defence of the administration. Mr. A. made a brief response.

After several other petitions on various subjects had been presented and disposed of, the house adjourned.

Tuesday, March 18. Mr. *Binsy* reported a bill to remit the duty on locomotive engines heretofore reported, and to allow them their future importation duty free.

Mr. *Leavitt* reported a bill appropriating 150,000 acres of land, in addition to the quantity heretofore appropriated, for the satisfaction of bounty land warrants.

Mr. *R. M. Johnson* reported a bill for the erection of an armory on the western waters.

The above bills were twice read and committed.

A message was received from the president of the U. States, suggesting the expediency of extending the term allowed for the settlement of the claims under the late treaty with Naples; which was referred to the committee on foreign relations.

Mr. *Pinekey* obtained leave, and submitted the following resolution:

Resolved, That the documents communicated by the president of the United States, in relation to the trade between the United States and the islands of Cuba and Porto Rico, be referred to the committee on commerce; and that said committee be instructed to inquire into the discriminating duties referred to by the president in his message, and into the expediency of adopting countervailing measures, for the protection of American merchants and ship owners. Agreed to.

The house then proceeded to the consideration of the resolution of Mr. *Mardis*, of Alabama; when

Mr. *Burges* took the floor and continued his speech in opposition thereto, until one o'clock, when he suspended his remarks; and the speaker announced the special order of the day, being the resolutions reported by the committee of ways and means on the removal of the deposits, and the house proceeded to consider the same; when

Mr. *Wildc* said he would now proceed to offer some observations to the house, unless the gentleman from Tennessee desired to speak.

Mr. *Polk* having signified that he did not wish to speak,

Mr. *Wildc* took the floor, and offered the following resolution as a substitute for the first resolution reported from the committee of ways and means:

Resolved, That the reasons submitted by the secretary of the treasury for removing the public deposits are insufficient and unsatisfactory.

Mr. *Wildc*, after speaking nearly three hours, yielded the floor, without concluding, to a motion to adjourn; when, on motion of Mr. *Williams*, the house adjourned.

Wednesday, March 19. Mr. *Elisha Whittlesey*, from the committee of claims, reported the following resolution, viz:

Resolved, That the committee of claims be instructed to inquire into the expediency of providing by law for referring all claims for buildings burnt and destroyed by the enemy during the late war, because they were in the military occupation of the United States, by an order of an officer, or agent, of the United States, as places of deposit, or as barracks, to the third auditor of the treasury department, on principles that have been heretofore prescribed in the settlement of such claims; and that they further inquire into the expediency of providing by law for the settlement of all claims arising from the loss of property in the military service of the United States, by contract or employment, and for horses lost during the late war—also, during the war with the Seminole Indians; and the late war with the Indians commanded by Black Hawk, on such principles as have heretofore been prescribed in such cases.

Mr. *Whittlesey* explained the reason why the commissioner of claims had not acted on these cases, which was understood to be, a limitation as to time in their presentation, and contended that no such limitation should be interposed. The resolution was agreed to.

The house then proceeded to the consideration of Mr. *Mardis'* resolution on the deposits, when,

Mr. *Burges* resumed the floor, and continued his speech in opposition to the resolution, until 1 o'clock, when they were again cut short by the expiration of the morning hour.

The house then went into the consideration of the report of the committee of ways and means on the removal of the deposits, when

Mr. *Wildc* again took the floor, and concluded a very animated and sarcastic speech, in support of the amendment he had offered declaring the reasons of the secretary insufficient and unsatisfactory. He closed at half past three o'clock, when, on motion of Mr. *Pinekey* the house adjourned.

Thursday, March 20. Mr. Clay reported a bill authorizing the construction of rail roads and canals, through lands of the United States.

After various other business of a private or local character, the house took up the unfinished business of the morning, which was the consideration of Mr. Mardis' resolution on the deposits, when

Mr. Burges once more addressed the house in opposition to the resolution, and held the floor until the expiration of the morning hour, when his remarks were suspended.

The house then proceeded at one o'clock, to the orders of the day, viz: the consideration of the report of the committee of ways and means; when

Mr. Pinckney, of South Carolina, rose and addressed the house at large, in opposition to the resolutions with which the report concludes, and which it recommends for adoption.

#### BRITISH KING'S SPEECH.

House of lords, Tuesday February 4.

His majesty this day opened the sessions of parliament in person.

At half past 1, the lord chancellor took his seat on the woolsack.

His majesty, attended by the usual ministers of state, entered the house at a quarter after 2 o'clock. His majesty, we are happy to say looked very well. He appeared to be in excellent health.

The commons having been summoned, about 200 of them, headed by the speaker, immediately presented themselves at the bar, when his majesty proceeded to read, in a distinct and audible voice, the following gracious speech:

*My lords and gentlemen:*

"In calling you again together for the discharge of your high duties, I rely with entire confidence on your zeal and diligence, on your sincere devotion to the public interests, and on your firmness in supporting on its ancient foundations, and in the just distribution of its powers, the established constitution of the state.

"These qualities eminently distinguished your labors during the last session, in which more numerous and more important questions were brought under the consideration of parliament than during any former period of a similar duration.

"Of the measures which have in consequence received the sanction of the legislature, one of the most difficult and important was the bill for the abolition of slavery. The manner in which that beneficent measure has been received throughout the British colonies, and the progress already made in carrying it into execution by the legislature of the island of Jamaica, afford just grounds for anticipating the happiest results.

"Many other important subjects will still call for your most attentive consideration. The reports which I will order to be laid before you from the commissions appointed to inquire into the state of the municipal corporations, into the administration and effects of the poor laws, and into ecclesiastical revenues and patronage in England and Wales, cannot fail to afford you much useful information; by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied.

"It has been the constant aim of my policy to secure to my people the uninterrupted enjoyment of the blessings of peace. In this I have been much assisted by the good understanding which has been so happily established between my government and that of France; and the assurance which I receive of the friendly disposition of the other powers of the continent give me confidence in the continued success of my endeavors.

"I have, however, to regret that a final settlement between Holland and Belgium has not yet been effected, and that the civil war in Portugal still continues. You may be assured that I shall be careful and anxious to avail myself of any opportunity which may afford me the means of assisting the establishment of a state of security and peace in countries the interest of which are so intimately connected with those of my dominions.

"Upon the death of the late king of Spain I did not hesitate to recognize the accession of his infant daughter; and I shall watch with the greatest solicitude the progress of events which may affect a government, the peaceable settlement of which is of the first importance to this country, as well as to the general tranquility of Europe.

"The peace of Turkey since the settlement that was made with Mehemet Ali, has not been interrupted; and will not, I trust, be threatened with any new danger. It will be my object to prevent any change in the relations of that empire with other powers, which might affect its future stability and independence.

*Gentlemen of the house of commons:*

I have directed the estimates for the ensuing year to be laid before you.

They have been framed with a view to the strictest economy, and to such reduction as may not be injurious to the public service.

I am confident that I may rely on your enlightened patriotism, and on the cheerful acquiescence of my people for supplying the means which may be required to uphold the honor of my crown and the interest of my dominions.

The accounts which will be laid before you of the state of the revenue, as compared with the expenditure, will be found most satisfactory.

*My lords and gentlemen:*

"I have to lament the continuance of distress amongst the proprietors and occupiers of land, though in other respects the state of the country, both as regards its internal tranquility, and its commerce and manufactures, affords the most encouraging prospects of progressive improvement.

"The acts passed in this last session, for carrying into effect various salutary and remedial measures in Ireland, are now in operation, and further improvements may be expected to result from the commissions which have been issued for other important objects of inquiry.

"I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects; or to any institution in church or state.

"The public tranquillity has been generally observed, and the state of all the provinces of Ireland present, upon the whole, a much more favorable appearance than at any period during the last year. But I have seen with feelings of deep regret and just indignation, the countenance of attempts to excite the people of that country to demand a repeal of the legislative union. This bond of our national strength and safety, I have already declared my fixed and unalterable resolution, under the blessings of Providence, to maintain inviolate by all the means in my power. In support of this determination, I cannot doubt the zealous and effectual co-operation of my parliament and my people.

"The practices which have been used to produce disaffection to the state, and mutual distrust and animosity between the people of the two countries, is chiefly to be attributed to the spirit of insubordination, which, though for the present in a great degree controlled by the power of the law, has been but too perceptible in many instances.

"To none more than to the deluded instruments thus perniciously excited, is the continuance of such a spirit, productive of the most ruinous consequences, and the united and vigorous exertions of the loyal and well affected in aid of the government, are imperiously required to put an end to a system of excitement and violence, which, while it continues, is destructive to the peace of society, and if successful, must inevitably prove fatal to the power and safety of the United Kingdom."

London, Feb. 4. We have received by express the Paris papers of Sunday, together with letters from Madrid of the 21st and 22d ult. The particulars of M. Dulong's funeral, which took place on Saturday, occupy a considerable space of most of the Paris papers. It appears that there were 30,000 men under arms, for the purpose of suppressing any movement which might have threatened an *encute*.

#### THE WEST INDIES.

James McQueen is the name of a well known writer of various pamphlets and letters in behalf of the West India proprietors, and hostile to the course of the British ministry in relation to the West India colonies. One of his recent letters, since the adoption of the emancipation bill, contains a large amount of statistical information with respect to the population, progress and production of the islands belonging to the several European powers. Some of the items are interesting to Americans, and they are believed to be, in the main, accurate.

The island of Cuba is first noticed. The whole value of the property in the island, in 1830, is put down at \$562,191,730. The exports of that year were \$9,662,000, and the consumption \$50,776,500. The total imports in 1829, were \$14,300,000, of which \$4,100,000 were received directly from the United States, and \$3,200,000 indirectly. From all other sources the imports were \$7,000,000. From 1821 to 1830, inclusive, the United States received from Cuba upwards of sixty millions of dollars in return for exports, chiefly of provisions. The annual amount of actual produce, *bona fide* of the United States, taken by Cuba, is averaged at \$8,000,000.

Porto Rico exported, in 1830, to the value of \$3,491,805, and in 1832, \$5,095,996. About one-half of the imports of the island are received through St. Thomas. One-half of all the exports is carried directly to the United States. Thirty thousand tons of shipping owned in the United States, nearly one-half of the shipping of the island, were engaged in the direct trade with this country, and a large part of the remaining half, engaged in the trade between the island and Spain, also belonged to Americans. The revenue of Cuba in 1829 was \$9,150,000, and of Porto Rico in 1832, \$1,000,000.

Hayti presents a miserable account. The year 1826 is the last for which correct returns have been found, and Mr. McQueen presents some strong evidences of the decay of the island. The value of the produce of the French part of the island, in 1791, was upwards of £7,000,000 sterling. In 1826 it did not exceed £1,000,000 for the whole island. In 1789 the trade employed 1,700 vessels, or 357,800 tons; in 1822 only 947 vessels, or 162,693 tons of every description and from all nations. Two-thirds of the whole were from the United States. The population in 1790 was about 750,000; in 1826 it was a little more than 420,000. [Bull. Am.

#### BANK OF THE UNITED STATES.

March 5th, 1834.

At a meeting of the board of directors held this day, Mr. Eyre, from the committee on the offices, presented the following report, which was read.

REPORT.

The committee on the offices having now ascertained by an experience of several months, the progress of the reductions in the business of the bank ordered by the board on the 8th of October last, avail themselves of the monthly returns of the bank and all its offices, made up for the month of March, to present a statement of those reductions.

The design of the board in directing them was to protect the institution, and to provide the means of paying the deposits of the government, so as to press with as little injury as possible on the community. How far that purpose has been accomplished, will be seen from the following detailed statement of the amount of the loans, deposits, specie and circulation of the bank, from the 1st of October, 1833, to the 1st of March, 1834.

1833.	Discounts.	Domestic bills.	Total.
October 1	42,226,375 42	17,867,927 51	60,094,302 93
November 1	41,062,813 94	16,147,790 44	57,210,604 38
December 1	38,780,567 49	15,672,537 18	54,453,104 67
1834.			
January 1	38,609,069 46	16,302,392 24	54,911,461 70
February 1	37,544,352 82	17,098,790 82	54,643,143 64
March 1	37,381,131 86	18,786,698 00	56,167,829 86
1833.	Public deposits.	Private deposits.	Total.
October 1	9,868,435 58	8,008,862 78	17,877,298 36
November 1	8,932,311 18	7,285,041 88	15,517,353 06
December 1	5,162,260 63	6,827,173 10	11,989,433 73
1834.			
January 1	4,230,509 63	6,734,866 06	10,965,375 69
February 1	3,066,561 72	6,715,312 60	9,781,874 32
March 1	2,604,233 62	7,343,129 92	9,947,363 54
1833.	Specie.	Circulation.	
October 1	10,663,441 51	19,128,189 57	29,791,631 08
November 1	10,342,160 46	18,518,000 57	28,860,161 03
December 1	9,818,529 25	18,650,912 90	28,469,442 15
1834.			
January 1	10,031,237 72	19,208,379 90	29,239,617 62
February 1	10,523,385 69	19,260,472 90	29,783,858 59
March 1	10,385,430 15	18,523,189 00	28,908,619 15

From this statement it will be perceived that from the 1st of October to the 1st of March, the total reduction in the line of local discounts was 4,845,143 56  
While there has been an increase in the domestic bills of 918,770 49

Making the total reduction of loans 3,926,373 07  
During the same period the reduction of the public deposits was 7,264,201 96  
And of the private deposits 665,732 86

Making a total reduction of deposits of 7,929,934 82  
During the same time the specie of the bank has diminished 278,002 36  
And the circulation of the bank 605,000 57

The comparison of the two periods will be more obvious from the following tabular statement:

	Loans.	Deposites.
October 1, 1833	60,094,302 93	17,877,298 36
March 1, 1834	56,157,829 86	9,947,363 54
	3,926,373 07	7,929,934 82
	Specie.	Circulation.
October 1, 1833	19,128,189 57	10,663,441 51
March 1, 1834	18,523,189 00	10,385,430 15
	605,000 57	278,002 36

The general result of the operations of the bank during the last five months has been—

1st. That the reduction of the loans has not been, by upwards of four millions of dollars, as great as the reduction of deposits; and

2d. That the withdrawal of nearly eight millions of dollars of those funds on which the bank had based its accommodations to the community, has not yet been followed by a reduction of accommodation equal to one-half the amount of funds withdrawn.

3d. That from the 1st of January to the 1st of March, the increase in the line of domestic bills amounted to nearly two millions and a half of dollars.

4th. That during the same period there has been an actual increase in the total loans of the bank of 1,256,368 dollars 16 cents.

The committee cannot regret the smallness of this reduction during the last five months, nor even the actual increase of its loans since the 1st of January; because both have arisen from the strong desire of the bank to give every relief to the community consistent with its own safety. But they cannot forbear to express their deliberate conviction that these reductions are much less than are required for its security during the present unsettled state of the currency; that it has now become the duty of the bank, gently but steadily, to diminish the amount of the claims upon it by continuing to lessen its business.

Whereupon, on motion of Newkirk, the following resolution was unanimously adopted:

Resolved, That as much misapprehension appears to exist throughout the country in regard to the reduction of the loans of the bank since the removal of the government deposits, the foregoing report be published for general information.

Extract from the minutes. S. JAUDON, cashier.

BANK COMMITTEE AND MR. TANEY.

From the Baltimore Republican of March 14.

We copy from the Chronicle of yesterday morning, the following card, giving one side of the account of the conversation between the committee of the memorialists in favor of the bank and Mr. Taney.

TO THE PUBLIC.

Our attention having been directed on Monday, the 10th instant, to an editorial article in the Washington Globe of that morning—*we*, the same day, addressed the annexed note to Mr. Taney, and not having heard from him, it becomes our duty to the community, as well as to ourselves, explicitly to repeat, that the conversation between Mr. Taney and us, was correctly stated in the report of the committee.

WM. CRAWFORD, jr.  
G. BROWN.  
J. W. PATTERSON.

Baltimore, 12th March, 1834.

Baltimore, 10th March, 1834.

The undersigned, (Mr. Gaiter being absent) the members of the Baltimore committee, who had the interview with you, and responsible for that part of the report made at a public meeting on the 5th inst. having seen by the Globe of this morning, that the editor of that paper asserts that he has your authority for saying that that part of the report which refers to our conversation with you is a misrepresentation, we deem it necessary to ask of you whether the editor had your authority for his assertion. We are respectfully yours,

WM. CRAWFORD, jr.  
GEO. BROWN.  
J. W. PATTERSON.

To R. B. Taney, esq. secretary of the treasury, Washington.

It strikes us that the committee were rather hasty in publishing this letter. It was written, it seems, on the 10th instant, and could not have been received by Mr. Taney before the 11th. Had he been entirely disengaged, he could not have answered it before the 13th. But with the multifarious duties he has to perform, it was unreasonable to suppose that they should be laid aside to attend immediately to such a matter. And yet, because the answer was not received by the return mail, they seem to have taken it for granted that none was to be expected. It is a trite saying that one story is good until another is told. And here follows the answer. The public have now the whole matter before them, and will decide according to the evidence of the case.

To the editor of the Republican.

March 13, 1834.

SIR—I transmit to you for publication a letter which I received the day before yesterday from Mr. Taney. Understanding yesterday that a portion of the committee that recently visited Washington, had addressed a note to him in relation to an editorial paragraph which appeared in the Globe, I had determined not to publish the letter at present; but the card of Messrs. Crawford, Brown and Patterson, in the Chronicle of this morning, appears to me to render its publication proper. I therefore avail myself of the authority which the letter gives, and desire you to insert it in to-morrow's Republican, with the request that the editors of other papers who may have published the card of those gentlemen, will republish from the Republican Mr. Taney's letter. Very respectfully, your obedient servant,  
U. S. HEATH.

Washington, March 10, 1834.

MY DEAR SIR: I have read with much surprise the report made by the committee to the meeting at Monument Square, in the city of Baltimore, on the 5th instant. The report does me great injustice, and does not present the opinions which I expressed to the members of the committee with whom I conversed.

I must begin by observing that Mr. Birkhead, Mr. Shaw, Mr. Graham and Mr. Howell, whose names are signed to the report were not present at any part of the conversation, and can have no personal knowledge of any thing that was said. I did not see either of them while they were in Washington. Mr. Patterson came in near the close of the interview, and was in the room but a few minutes.

The only persons who were present throughout the conversation were Messrs. Brown, Crawford and Gaiter. My acquaintance with the two latter was a very slight one. But circumstances had often brought Mr. Brown and myself together while I lived in Baltimore, and we had, for several years past, been on terms of familiar and friendly acquaintance. He introduced the conversation soon after they came into the room by giving me to understand that they had called on me as members of the committee, and that they wished a free and friendly conversation with me, not only in my official character, but as a citizen of Baltimore, and as one who could not be indifferent to the welfare of a community of which I had so long been a member. It never entered my mind that a conversation so invited by Mr. Brown was designed for publication; much less that detached expressions were to be selected separating them from the connecting observations, so as to create an impression entirely different from the one I intended to convey.

The common principles of fair dealing between man and man would seem to require that when such a design was entertained, I should have been warned of the intention, in order that others might be present to hear what passed, as well as the per-

sons, who, it now seems, were secretly awaiting some phrase or expression which they might note down and publish to do me injury.

The conversation was chiefly carried on between Mr. Brown and myself. The others occasionally took part in it. He reproached the conduct of the bank of the United States in strong terms. He said that it had abused its powers by wilfully oppressing the community, and that it ought not to be rechartered on any terms. He admitted that the depositors ought not to be restored, and that the restoration would not relieve the pressure which he stated to exist. But he and the other persons present with him drew a strong picture of the distress in Baltimore, and represented that the commercial community there was in danger of general bankruptcy unless something was done by the government to relieve it. His plan of relief was a new bank, and he left with me a draught of his project. He urged me to consider it, saying it was the plan of one of my friends, in whom he knew I had much confidence. But he did not name him.

In reply to these statements I told them that I was opposed to the recharter of the present bank on any terms—and that if it succeeded in its present attempt to coerce the renewal of its charter, the government of the country would, in effect, be surrendered into the hands of a money corporation—that I was opposed to any bank of the United States, and believed such an institution wholly unnecessary—that the state banks, I had no doubt, were fully competent to perform the duties of fiscal agents—and that notwithstanding the efforts to embarrass their operations and to discredit them, I had found no difficulty in carrying on the operations of the treasury, and placing money wherever it was needed for public use—and that I was satisfied they would be able to afford all the facilities in the domestic exchanges which the interest of the country required, and upon terms as favorable as any bank of the United States—that the pressure, of which they had spoken, had been designedly created by the bank of the United States for the purpose of compelling the people to yield to the demands of the bank—but it was greatly aggravated by the panic which had been got up to aid the bank in its attempts to bring distress and ruin on the country—that the newspapers in the commercial cities, which were understood to belong to the bank, or to be under its control, had teemed, for months past, with groundless reports of failures, and bankruptcies, and predictions of the approaching ruin of the mercantile community, and the stoppage of specie payments by the state banks—that the merchants themselves had, by their own conduct, and meetings, and resolutions, and deputations to Washington, contributed greatly to increase the excitement and alarm, and by that means disabled the state banks from loaning as freely as they would otherwise have done—that if the mercantile community of a commercial city chose to proclaim itself on the eve of bankruptcy, every body would naturally believe them, and be unwilling to trust them, and that embarrassment and distress would unavoidably follow the destruction of credit.

That if they expected to drive the administration from its course by such measures they were mistaken, that the government was not responsible for evils which merchants, or any other class of individuals voluntarily brought on themselves for political party purposes; and it could not be expected to change its course on that account. And if by persisting in fostering the alarm they had excited, and increasing the panic, they should produce the general ruin which they said was about to fall on the city, it would not change the measures of the administration—that the evil would be the work of their own hands for which the government was in no degree responsible; that it was in their own power to produce or avert it, and they could not justly charge, upon the government, the evils which they themselves should voluntarily occasion.

I do not profess to give you the whole conversation between us which lasted more than half an hour. But I give the opinions distinctly stated by me, to which the passages mentioned in the report, (if I used such expressions) must have had reference.

I cannot undertake to say whether I did or did not use the words imputed to me. But, if they were used, they were applied to the general ruin which the mercantile community should willfully bring on itself by creating a panic for party purposes. The committee have reported my language, as if I had expressed a cold and callous indifference to the sufferings of Baltimore. Nothing could be more unjust. I was endeavoring to impress upon them the folly of co-operating with the bank in exciting an alarm for political objects, and ruining the credit of their whole community to give political power to the bank. I wished to satisfy them, that while it endangered the happiness and comfort of innumerable industrious and valuable citizens, it would fall to produce the political object it was intended to accomplish.

To you, my dear sir, this explanation is, I know, unnecessary. You have often heard me express my opinion on the subject, and would at once see the unjustifiable use made by the committee, of certain expressions, which they say I used. But I am not willing to be misrepresented to the people of Baltimore. And in a community in which I lived so long, and where my principles, feelings and opinions are so well known, I trust that not even the sanction of the names attached to the report can persuade the people that I could express that heartless indifference to their sufferings which this report imputes to me.

As I have already said four of those whose names are signed to the report never heard a word of the conversation alluded

to, and I did not even see them while they were in Washington, and one of the others heard but a small portion of it. And without meaning any disrespect to others, I must say that I am as well known to the people of Baltimore, as the four gentlemen who were present at the conversation, and I am willing to leave it to their knowledge of us, whether more sympathy would be likely to be felt for the sufferings of our citizens by Mr. J. W. Patterson, Mr. George Brown, Mr. George B. Gaither and Mr. Wm. Crawford, Jr. than by myself—and whether either of these four gentlemen would be expected or disposed to make greater personal sacrifices to alleviate and relieve them than I would.

I commit this letter to your friendship and discretion. Use it as you think right to vindicate me from the unjust imputations contained in the report.

I am, dear sir, with great respect and regard, your friend and obedient servant,  
R. B. TANEY.

Upton S. Heath, esq. Baltimore.

P. S. I have not deemed it necessary to give more of my conversation with the committee, than was required to vindicate myself against an imputation calculated to do me personal injury with the citizens of Baltimore. But it must not be understood that I admit that my opinions are given in the report with ordinary fairness in other respects. On the contrary, the conversation is garbled by the committee in such a manner, as to misrepresent me most grossly in other instances, in which they profess to give the opinions I expressed to them.

R. B. TANEY.

From the Baltimore Patriot of March 18.

A CASE.

It is with regret I find myself compelled to appear before the public, to shew the injustice done me in the letter of R. B. Taney, esq. secretary of the treasury, under date of the 10th inst. addressed to U. S. Heath, esq. and published in the Baltimore Republican of the 13th inst.

Mr. Taney says, that I "reprobated the conduct of the bank of the United States in strong terms, said that it had abused its power by wilfully oppressing the community, and that it ought not to be rechartered on any terms, that I admitted the depositors ought not to be restored, and that the restoration would not relieve the pressure."

How he could have so entirely misunderstood my expressions in regard to the bank, I cannot conceive, never having entertained them; such a view expressed by me would have been completely at variance with the object of my visit to Washington; and with the sentiments I still entertain. Mr. Taney would be correct in saying, that I admitted there were objections to the present bank charter, and I admit that I also said it might be questionable, whether it would be prudent to direct the immediate change of the public money now deposited in the state banks; but I gave it as my decided opinion, that if the public revenue were in future deposited in the United States bank, it would restore confidence and relieve the public distress. The views I intended to convey were decidedly in favor of a renewal of the present bank, or the establishment of a new bank with a modified charter, and I left with Mr. Young, his chief clerk, an outline of such a bank as would, in my opinion, remove many of the objections now entertained against a national bank, and requested him at his leisure to look at it.

For the correctness of this statement, I confidently appeal to the other gentlemen who were present at the time and heard the whole conversation. In concluding these remarks, I need scarcely add, that nothing was stated in the report as regarded Mr. Taney, but what was deemed necessary to show his decided determination against the object of the mission, and that his views were no further detailed than were considered necessary to the discharge of a public duty.  
GEO. BROWN.

Baltimore, March 18, 1834.

In corroboration of the correctness of the statement made by Mr. Brown, and as a proof that he never could have expressed himself as represented by Mr. Taney, we also publish the letter of Mr. B. as president of the Mechanics' bank of Baltimore, in relation to the removal of the depositors from the U. S. bank; which must satisfy every one that Mr. B. never did approve of the removal, and never could have expressed himself in the terms expressed by Mr. Taney.

Mechanics' bank of Baltimore, 31st July, 1833.

SIR: Your letter of 30th, stating that you have been appointed to confer with such state banks as you may think proper, in relation to the future deposit and distribution of the public revenue, and inquiring whether this bank is desirous of undertaking the business of the government as now transacted by the branch bank of the United States, has been submitted to our board of directors.

I am instructed to inform you, in reply, that, although gratified at being considered worthy of so high and important a trust, we are unwilling to assume it.

Our capital is not large, and we find that all our means and resources are actively and profitably occupied. We are apprehensive that the facilities and accommodations which government will require in the prompt payment and transmission to different quarters of large sums, &c. &c. could not always be afforded by a state bank, without much embarrassment and difficulty. I am, very respectfully, your obedient servant,  
G. BROWN, *pres't.*

Amos Kendall, esq.



## MR. McKIM AND THE COMMITTEE.

From the *Baltimore Republican* of March 17.

## TO MY FELLOW CITIZENS OF THE 5TH CONGRESSIONAL DISTRICT.

The great principle upon which every representative in this free government is bound to his constituents by a responsibility to them, for the purity of his motives, and the integrity of his public course (directed by their interests and instruction) brings your representative before you, for justification or condemnation of that course, under circumstances of unusual provocation and necessity.

It must be known to all of you, that I have been wantonly assailed by a committee opposed to the present administration of the government deputed in a great part, from a neighboring congressional district, and that at a public meeting convened without the limits of my district, upon the report of this same committee, without even the means or opportunity of a hearing on the part of myself or friends, that meeting has pronounced me *subservient* and unfit to be the representative of a free and enlightened people. This denunciation it will readily be perceived, affects you as well as myself, and if they generously concede to you, the same measure of light and freedom of which they boast themselves, it will follow that, I am not worthy of the high relations in which I am placed to you, and that the judgment pronounced on me is just, provided the *facts and premises* upon which they are based are true; and here you have precisely the issue between these gentlemen and myself, as it is my intention to show to you, that where they even stated any thing that approached the truth, they have managed to distort it, and that in other instances, they have stated what is entirely unfounded.

In this appeal of necessity and self-defence on my part, I make no claim upon your known generosity. I appeal to a loftier and more moral feeling—your sense of justice; and upon the statement of facts I shall now lay before you, compared with their own report upon the subject, decide, between these gentlemen and your representative. I was elected by you, as a friend of the administration of gen. Jackson, and as an opponent of the existing bank of the United States. It cannot be assumed, that this was unknown to any of those gentlemen. It must likewise be borne in mind, that I had the strongest indication of the sentiments of the people by the vote of a meeting in my district, convened without regard of party, approving the course of the administration in the removal of the deposits from the bank of the United States. All this was matter of publicity in Baltimore; none of the committee were ignorant of it; and the first intimation I had of their arrival in Washington was through Mr. John B. Howell, who with his friend Mr. Shelton, from Cuba, on Monday evening the 10th February, called to see me at my room, Gadsby's hotel, and were received in the room in which the ladies of my family and myself were. After the usual salutations and inquiries, I asked Mr. Howell, if the committee from Baltimore had arrived: he answered in the affirmative and said, that he wished to confer with me on the subject of presenting the memorial. I told him, that as the greater portion of the signers to the memorial resided in the district represented by Mr. Heath, it might be deemed improper on my part to present it, particularly as I understood that Mr. Heath concurred in the views of the memorialists and would support them, and that as I believed a majority of my constituents were opposed to the bank, I could not give it my support; yet, if the committee of which he was a member, wished me to present the memorial, I should certainly do so; that I should feel it my duty to say to the house, on presenting the memorial, that the signers were respectable and incapable of stating any thing, but what they believed to be true; that I could not in discharging what I considered to be my duty, give the memorial my support. At this Mr. Howell seemed to be somewhat surprised, under an impression, on his part, that my mind had not been made up on the subject submitted by the memorial. I reminded him then, that my election had taken place after the order for the removal of the deposits, and by a majority of those opposed, as I believed, to the bank, that I therefore considered myself bound to carry the will and wishes of my constituents into effect; that I should be a traitor to them, if, having been elected to support the president and his administration, I could abandon the solemn pledges I gave to do so; and I did intimate, perhaps warmly too, that I would risk my life and fortune rather than betray the trust which they had delegated to me. These are, I am sure, the sentiments expressed at that time. Mr. Howell being an old friend and neighbor, I invited him and his friend Mr. Shelton (who was present, and as I presume heard the conversation), to dine with me the next day; which invitation they accepted, and took their leave.

On Tuesday morning, February 11th, at 10 o'clock, captain Graham, the only member of the committee from the district I represent, called at my room, I received him as an old acquaintance and townsman, and invited him to join Mr. Howell at dinner, which he declined. He took occasion to say to me, that a great many of those who had voted for me had signed the memorial. In reply I reminded him of the large meeting which had taken place at White hall at which resolutions had been adopted against the bank, and in support of the administration in the course with regard to the deposits. He appeared to regard this meeting as of little importance. I do not recollect that capt. Graham said a word about presenting the memorial. Being myself under engagement to meet the committee of ways and means that morning, at 10 o'clock, capt. Graham left me.

At that moment Mr. Hugh Birkhead, another of the committee came into my room, said his visit was intended for the ladies, and while I remained with him, not a word was said about presenting the memorial. I also requested Mr. Birkhead to dine with me that day, but he said he was under a prior engagement. I then went to the committee room, and immediately afterwards into the house.

Mr. Howell and Mr. Shelton, dined with me agreeably to appointment, and I trust that I shall be excused from relating the conversation that passed at dinner. I am quite sure however, that there was nothing said about the memorial. Mr. Howell and Mr. Shelton having expressed a desire to wait on the president, 10 o'clock Wednesday morning was appointed, and I was to introduce them.

As during my absence in the morning, the committee had left their card, for me, I deemed it proper, as a mark of respect, to return the call, on the same day: I did so in the evening, and on calling at their room, I found Mr. Crawford, the chairman of the committee. This was the first time I had seen him, since his arrival in Washington. Mr. Patterson and capt. Graham, of the committee, were in the room, and gen. Chambers and Mr. Maxcy, as visitors. The rest of the committee were absent. General Chambers and Mr. Maxcy soon took leave, when I had some general conversation with Mr. Crawford, and the other gentlemen present, about the state of the money market—but not a word to my recollection was said by the chairman about presenting the memorial. Some other visitors to the committee then came in, as also Mr. Brown, Mr. Gaither and Mr. Shaw, members of the committee. To the two last named gentlemen, I was introduced, and with them, I conversed separately on the subject of the bank and the pressure in the money market, but I do not recollect a word being said about presenting the memorial. After remaining about an hour, I took my leave.

The next morning, Wednesday, 12th February, about 11 o'clock, I went with Mr. Howell and Mr. Shelton to the president's, and after paying our respects there, we visited the vice president, and then went to the secretary of state's office. During this ride, a variety of free and familiar conversation passed, and we returned to Mr. Gadsby's. This terminated all the intercourse I had with any members of the committee, from their arrival until their departure on Wednesday, the 12th February, about 2 o'clock. I have no recollection of having mentioned the name of Mr. Bibb in any manner, to any member of the committee, and shall for the present, content myself with a positive denial of that assertion.

This is the history, to the best of my recollection, of what took place between the committee and myself, in relation to this subject, and upon which, they have felt themselves authorized in making the report, which denounces me as *subservient*, and unfit for the station in which you have placed me.

I have deemed it my duty to lay the facts before you at the first moment my official duties permitted in my own name, lest my silence might be construed into an admission of the correctness of any part of that report which relates to myself. Of the justice and propriety of this proceeding on the part of the committee, the public will now be able to judge. I have only to add, that I utterly deny having said any thing to any member of the committee which could warrant them to infer for a moment, that I was willing to surrender my own opinions and independence, or violate my duty as a representative, under the influence of official power, or to subserve any political or party purpose whatsoever—and to those who know how little I could gain by such a course, and what I must lose, it is scarcely necessary to make this denial. For what purpose then, some of those gentlemen upon the list, with whom I never exchanged a word upon the subject of their mission, have by their names sanctioned these misrepresentations of me, I leave to others to infer, and to their sense of honor to approve if they can—my object has been to discharge my duty according to my own sense of what is right, and best calculated to promote the interests and wishes of my immediate constituents, and that, regardless of consequences to myself. This was what I meant to impress on those of the committee with whom I conversed on this subject, and without some design to injure me, I could not have been otherwise represented. It may be proper in conclusion to say, that however these conversations may have been regarded by the members of the committee with whom they were held, garbled and distorted as they have been, I never for my own part considered any of them official, and if the use that has been made of them is conformable to the moral and social code of this committee, I am not yet prepared to become a convert to the system. ISAAC McKIM.

Baltimore, 15th March, 1834.

P. S. The editors of papers who have published the report and proceedings of the committee, will please publish this.

## UNITED STATES BANK.

REPORT OF THE MINORITY OF THE COMMITTEE OF WAYS AND MEANS, SUBMITTED BY MR. BINNEY.

House of representatives, March 4, 1834.

The undersigned, minority of the committee of ways and means, to which was referred the letter of the secretary of the treasury, communicating to the house his reasons for removing the deposits of the public money from the bank of the United States, and several memorials upon the same subject, submit the following reasons for not concurring in the report of the majority of that committee:

The removal of the public deposits from the bank of the U. States is an act upon which the judgment of the country has now irrevocably passed. The reasons have been investigated in both houses of congress, and by the public press, to such an extent that it may be fairly deemed impracticable to add anything to the arguments by which they are either refuted or sustained; but being most thoroughly convinced that the act of removal was wholly indefensible, without color of probable cause, a violation of the bank charter, an inroad upon the property and security of the citizens, and upon the rights of the legislative department, the undersigned deem it their duty to submit such a statement as will record their personal opinion upon the subject.

I. The power of removing the public deposits is granted or reserved by the 16th section of the bank charter, to be exercised by the secretary of the treasury, for reasons to be communicated to congress. This power is not absolute or unconditional, in regard either to the bank or to the country. Absolute and unconditional power does not reside in any department of government. Congress hold their own power under the condition of conforming to the principles of justice, as well as to the restraints of limitations contained or prescribed in the constitution. They cannot grant an absolute and unconditional power to any officer of government for any purpose of government. The broadest discretion they can give, must be subject to the implied condition of being exercised in conformity with the constitution, the laws, the rights of individuals, and the principles of natural justice. Above all, they cannot, in the absence of express declaration, be presumed to have given an unconditional power to an officer of government to affect rights and privileges conferred or sanctioned by law.

Congress have not granted to the secretary of the treasury any power over the public deposits that is inconsistent with these principles. The grant or reservation of power in the 16th section of the charter is qualified by the express provision that the reasons for its exercise shall be immediately reported to congress, and the sufficiency of the reasons concerns all who may be affected by the act, that is to say, the bank, congress and the people especially, who are vitally interested in every act that invades a legal or constitutional right.

The charter is a contract between the stockholders of the bank and the United States, and all its clauses must receive such an interpretation as is consistent with the principles of contract. The United States contracted to allow to the bank the benefit of receiving and holding the public moneys, unless the secretary of the treasury should, at any time, see fit to order otherwise; in which case he should immediately lay before congress the reasons of such order and decision. "In consideration of the exclusive privileges and benefits conferred by this act," the bank contracted to pay, and did pay to the United States one million five hundred thousand dollars; and also engaged to perform, and has performed for seventeen years, important duties, in exoneration of the treasury, at an expense of several hundred thousand dollars more. The custody of the public deposits is not only a benefit, but, next to the power of exclusive banking, it is the principle benefit conferred by the act. It is contrary to every sound rule of interpretation that has ever heretofore been applied to a contract, or to a law regulating a contract, that a power like the secretary's, to suspend the enjoyment of a right, for reasons to be communicated forthwith to congress, should be deemed an absolute and unconditional power as it regards the bank. The minority reject this doctrine as utterly irreconcilable with justice or with law, with reason, whether natural or technical, with the meaning of the charter, or with the faith of the nation.

Various suggestions are made to sustain the position that the exercise of the secretary's power, whether for good reasons, or for no reasons at all, determines the right of the bank to the deposits, and leaves the nation free from all reproach of violated faith.

It is said that he is authorized to act, before he gives his reasons to congress; and his act, therefore, has validity, whatever may be his reasons. The efficacy of his act to remove the deposits is not the question. Whether his reasons be good or bad, his order is, in the first instance, to be respected; but if he is bound to have good reasons, and his reasons have not been good, the subsequent communication of them will show that his act was unjust at the time; and if congress do not rescind it, they will sanction the injustice. There are innumerable instances in which an order, right or wrong, must be respected when it is given; yet when it is subsequently shown to have been wrong, the injustice is declared, and the aggressor punished.

It is further said that the bank has paid nothing for the use of the deposits, and therefore has no right to them that may not be revoked at pleasure, and that the bonus and other expenditures in the public behalf have been paid by the bank for the privilege of exclusive banking, and for the benefit of having their notes received in all payments to the United States. If the deposits be a benefit, (and of this there can be no doubt), the 20th section of the charter shows that the bonus was given for that benefit as much as for any other. The language of the section is general. The payment is "in consideration of the exclusive privileges and benefits conferred by the act," and this is one of them. Whether the receipt of the notes in public payments is really a benefit to the bank, has been much doubted. That it is a benefit at all comparable to that of having the

deposits, cannot be maintained. The obligation of the United States to receive these notes was absolute and unlimited in the charter of the first bank, which did not pay any bonus at all; and in the present charter, for which a large bonus was paid, the engagement to receive them is subject to the pleasure of congress. The great difference in benefit of the respective charters of the two banks is, that in the first there was no stipulation for the public deposits, and the bank paid nothing for its charter; whereas, in the present charter, the case is otherwise in both particulars.

Another suggestion to show that the power of the secretary over the deposits is absolute and unconditional, is, that the power of congress to repeal the guaranty of the notes is so. The difference between the cases is, that the secretary must have reasons for his direction, as the 16th section expressly declares, whereas the 14th section, in regard to the notes, makes no such qualification of the powers of congress.

It is again said that the power given to the secretary by the 16th section is his old, or former power, which was absolute and unconditional as it regarded every depository with whom the public money was placed, and therefore the present power must be the same. If the power given by the 16th section is the old power, the house is possessed of the secretary's letter in as to the extent of it. The language of the secretary's opinion is as follows: "The treasury department being intrusted with the administration of the finances of the country, it was always the duty of the secretary, in the absence of any legislative provision on the subject, to take care that the public money was deposited in safe keeping, in the hands of faithful agents, and in convenient places, ready to be applied according to the wants of the government. The law incorporating the bank has reserved to him, in the fullest extent, the power he before possessed. It does not confer upon him any new power, but reserves to him his former authority without any new limitation." It is unnecessary to dispute the position that the power in the 16th section is the old power in this sense; for the power in the 16th section is not only admitted, but asserted to go to the very extent which the secretary claims for the old power, and no further, namely, to the extent that the safety of the deposits, and their distribution in convenient places, require. Such a power is obviously neither absolute nor unconditional. But independent of this definition of his own power by the secretary, it seems to have been overlooked by the committee that the present power is to be applied to divest a right, whereas the former power was exercised over the possession of depositories who had no right whatever. The control of the treasury department over the public moneys, until the charter of the present bank, was universally a question between the treasury and congress; it is now a question between the bank and congress.

It is finally said that the power of the secretary is absolute and unconditional, because congress have given to him their whole power, reserving none whatever to themselves to touch the deposits until he shall have restored their power to them. This argument begs the question in dispute. The secretary supposes himself to be an independent judge in this matter, whereas the minority suppose that he is merely the agent of congress. His power in the premises is a part of their power intrusted to him as their representative. Though he may use it for sufficient reasons, congress may use it also for the same reasons. The restraint upon the exercise of his power is imposed by the right of the bank, and this is all the restraint that is imposed upon the right of congress. If the bank has no right, as the committee appear to assert, upon what ground can the right of congress be denied? If the power reserved to the secretary, by the 16th section, is neither more nor less than the old power, how is it possible to deny the right of congress to control the deposits, under the charter, if congress had any right to control them before the charter? It is worthy of deep reflection, that the argument put forward by the committee, to sustain the secretary's reasoning, has carried them to the extent of asserting that congress abandoned the public treasure to the secretary and the bank beyond the possibility of recall.

Upon this head the minority state their opinion to the house, that the power of the secretary over the deposits in the bank depends for its just exercise upon the existence of adequate causes; that the bank had a direct and immediate interest in them, and is entitled to an impartial decision upon them; that an unjust decision upon them will be a violation of the charter, and a stain upon the public faith; and that the secretary's position, that his power is absolute and unconditional in regard to the bank, is an unwarrantable assumption of power, instead of a just interpretation of that which has been given.

If, in the execution of this power, the secretary was the agent of congress, and not of the president. He derived the power from congress; he is to report his reasons for using it to congress. The act of the secretary in removing the deposits is neither actually, nor by construction, the act of the president, nor are the reasons of the president a satisfaction, either in effect or form, of the requisition on the secretary to report his reasons. The exercise of this power affects the public treasure which congress directed to be placed in the bank of the United States. That treasure is the treasure of the people, the custody and control of which belongs to the legislature and to the agents of the legislature. The custody of the legislature is exclusive of the executive department. The custody of the bank, as the agent of the legislature, is equally exclusive. The power of the secretary is, in like manner, exclusive. The chief executive magistrate has no constitutional authority to raise revenue, or

to take it into his official possession when raised, or to direct who shall possess it, or to interfere with a direction or authority in this behalf, proceeding from congress, any more than he possesses authority to direct by whom the public money shall be used and disbursed. The secretary cannot be relieved from the duty of accounting to congress by any order of the president; nor can the reasons of the president be imposed upon him as a guide, nor be offered to congress as an excuse. The discretion which is given by the charter, is given to the secretary alone. The order of removal must come directly from the secretary; and if it came from the president alone, it would be null and void.

The power of the president to remove the secretary of the treasury is no reason for holding that the secretary is under the direction of the president in the exercise of the discretion conferred by the charter. The president may remove the secretary whether he performs or does not perform his duty. The legal power to do it is as perfect in the one case as the other. The mere exercise of the power does not consequently imply the right of direction or control. The constitutional duty of the president, to see that the laws are faithfully executed, requires him to see that an officer to whom the law confides a discretion is permitted fairly to exercise it. A law which confers a discretion upon one officer, is violated, instead of being faithfully executed, by compelling him to submit to the discretion of another officer. If the president has in this matter, directly or indirectly, controlled the discretion of the secretary, the law has not been faithfully executed, and his act has been a violation both of the law and of the constitution.

III. The only adequate cause for removing the public deposits, must be a cause affecting the safety of the public moneys in the bank, or their distribution for the public service. Such a cause alone directly concerns the subject upon which the power is to be exercised. It is the only cause of which the functions of his office and his relations to the bank authorise and enable the secretary to judge, and which is of such a nature as to require immediate action without a previous reference to congress. It is the only cause which would justly deprive the bank of the use of the public moneys after having paid for it. It is the only cause which congress could safely submit to the discretion of the treasury, without abandoning to that officer the whole scheme of public policy in regard to a national bank.

1. A cause that does not directly concern the subject upon which the power is to be exercised, must regard the public moneys as an *instrument*, and not as an *object* of the power. To comprehend such a cause, the charter must be construed to give the secretary an unlimited choice of the objects to be attained by the custody of the public moneys; for as none are pointed out by the charter but those of mere custody and transfer, the instant that these cease to be only objects of the power, we are without any limitation. Whether the purpose of the secretary be local or general, whether it be to make money dear or cheap, to regulate or disturb exchanges, to promote or retard public works, to increase or diminish the amount of bank discounts, to excite or counteract political movements, each and all of these objects must be within the discretion of the secretary, if any of them are.

2. That the secretary should be entrusted with a power necessary to protect the treasury itself, or to meet the demands upon it, is reasonable. If the public moneys are exposed to danger, he must first perceive its approach, and would be best able to measure its extent. He also, from his official position, must know the direction which public engagements require to be given to the means of satisfying them. The power, which either danger or the public credit makes necessary, is one that does not admit of delay, whether congress be in session or not. The action required, to be effectual, must be in some cases instantaneous. The grant or reservation of such a power to the secretary of the treasury was necessary and proper. But if the public moneys were to be made an instrument for affecting an ulterior object, no reason can be imagined why the power of using them should be given to the secretary rather than to the president, or why it should be given to either instead of being left to the action of congress. That nothing but the safety and distribution of the national treasure were the lawful objects of the secretary's power, is conclusively shown by the circumstance that the "act to establish the treasury department," the very moment that the secretary gave the order not to make the deposits in the bank of the United States, placed them in the hands of the treasurer, who could lawfully make no disposition of them, but to keep them secure, to be disbursed according to law. A removal of the deposits for any purpose, except to place them in this custody, would be not only a violation of the rights of the bank, but of the functions of the treasurer as created by law.

The minority are aware that an elaborate inquiry into the history and practice of the treasury department has been made by the committee, for the purpose of sustaining the position that the secretary of the treasury has the right, not only to superintend the collection of the revenue, but to direct in whose hands it shall be placed after it has been collected, and for what purposes it shall be placed there. The minority do not entertain the opinion that the inquiry has sustained the position of the committee. It ought to be a sufficient objection to it, that it gives to the secretary a power which the law does not give him. The secretary's asserted power is both without law and against law. It is a further objection to it, that most of the precedents of treasury practice referred to, are directions

affecting the collection of the revenue, which, by law, is under the superintendence of the secretary. The acts of gen. Hamilton, the first secretary of the treasury, are all of this description; they prove nothing to the purpose. Orders to collectors to place the duty bonds in particular banks for collection, are strictly within the legal authority of the secretary. More must be shown, to make any of the precedents conclusive of the point for which they are cited, namely, the existence of a treasury practice. But if the practice were, in point of fact, established, no instance has been produced, in which the law has sanctioned it.

The language of the 16th sec. of the present charter expressly confines the power of the secretary to the making of an order, or direction, that the deposits of the public moneys shall not be made in that bank; and does not give him authority to direct where they shall be made, or recognise such an authority as existing in him. It does not authorise him to remove the deposits already made there, or to select another place of deposit. He is to order or direct that they shall not be made there, and this order is not to be executed by himself, but by those to whom the general law gives the custody of the treasure, when the place selected by congress is repudiated by the secretary. Nothing can afford a stronger argument against the asserted authority of the secretary to direct in what place the public deposits shall be made, than the omission to describe his power as that of ordering or directing them to be made in some other place or places. Until the law shall give the power to the secretary, which it probably never will do, without regulating its exercise so as to make it consistent with the public safety, the minority must be understood as wholly denying the efficacy of any practice whatever to give it, in violation of the plain provisions of the act of 1789.

But if the treasury practice was known to congress, what follows? What is the import of the provision in the charter, that the public moneys shall be deposited in the bank, except that the practice was thought dangerous to the safety of the public moneys, and therefore was to be abolished, unless where that safety itself required a change of the place of deposit? The question under consideration is, whether any thing but the safety of those moneys, and their due distribution, authorised the order: and it is an extraordinary mode of proving the secretary's power, to show a former practice to that effect, before the charter was granted, and which the charter provision effectually opposed.

3. The removal of the deposits must have been regarded by the congress which gave the charter as a certain loss to the bank. The bank was to pay for them, and to be at liberty to employ them according to the usage and practice of banks; holding itself ready to pay, on demand, whatever should be required, in pursuance of appropriations by law. The advantage of possessing them was great, and the disadvantage of losing them, after paying for the possession, was greater. If they were to be removed on account of their insecurity, or for any breach of contract by the bank, or to place them where the bank could not herself distribute them, it is easy to perceive why no provision is made for an indemnity to the bank; but if they might be removed for other causes, particularly if removed to promote other interests, at the expense of the bank, indemnity would have been provided, because it would incontestably be due.

4. The decisive reasons, however, against allowing the secretary to order the removal for any other cause, is that the grant of such a discretion abandons the bank, as well as the country, to the secretary of the treasury, and gives him a sway over the nation, which belongs to no other than the legislative department.

It is not to be doubted that the entire removal of the deposits is fatal to the bank as a national bank. Instead of being the bank of the nation, the nation, by depositing its treasure elsewhere, adopts other banks, and sets them up in opposition. This is the certain and undeniable effect of the secretary's act; and if he had power to do this, he had power to repeal the bank charter. If, indeed, the bank had disqualified herself for her duties, by insolvency or infidelity, the removal of the deposits, to secure their safety, could only be considered as a renunciation of the bank, after the bank had renounced the nation; but a removal for other causes, however honest or good they may be, can only be regarded as a removal to destroy the bank.

As to the suggestion, upon which the committee appear to place some reliance, that safety cannot be the only reason, because, in case of danger, the removal could not be effected, if it proves any thing, it proves that safety cannot have been even one of the objects of the power, because it was an unattainable object; and then it proves too much.

A cause, then, which neither concerns the safety and due transfer of the public moneys; nor is within the cognizance of the secretary's office; nor furnishes a moral justification for depriving the bank of a benefit which it has purchased and paid for; nor can be confided to the judgment and discretion of an individual, without surrendering to him the established policy of the nation, cannot be such a cause as justifies the secretary in ordering the removal of the public deposits, because it cannot be maintained that congress meant to give him a discretion to such an extent.

IV. The secretary's communication admits that the public moneys were safe in the bank, and that in the transfer of them from place to place, and in the performance of every duty to the treasury, which the law requires, there was no ground of complaint whatever against the bank. These facts are admitted,

because, in a communication which accumulates all the reasons which have governed the secretary, there is no suggestion of danger to the public moneys, or of infidelity in the transfer of them.

V. The causes which the secretary has assigned for the removal of the deposits, might, therefore, if the preceding propositions are true, be generally rejected as insufficient and illegal, since they do not come within the only description of causes which the minority hold to be adequate. They are, however, deemed to be particularly and specially inadequate, and most of them for reasons which are independent of any of the preceding propositions. Such of them as do not involve any disputed facts, are inadequate in law. Those which depend upon such matters of fact, are inadequate in law, and also in point of proof. All of them which accuse the bank of violation of charter, and claim to proceed upon that ground, are themselves in flagrant violation of the charter, and of the constitution of the union, which entitle the bank before the infliction of any penalty whatever, to an impartial sentence of the judicial department. Upon these reasons, the undersigned proceed to submit the following remarks:

At the head of the secretary's reasons, is placed the expiration of the charter and corporate powers of the bank, on the 3d of March, 1836. This is a reason which congress, by the clearest implication in the charter, have declared to be insufficient.

1. By the 15th section, congress have exacted of the bank, whenever required by the secretary of the treasury, to give the necessary facilities for transferring the public funds from place to place within the United States, or the territories thereof, and for distributing the same in payment of the public creditors, during the continuance of the act; and also to do and perform the several and respective duties of commissioners of loans, whenever required by law, which requisition was made in terms of unlimited continuance, that is to say, for the whole period of the charter, by the act of 3d March, 1817. These provisions of law are in irreconcilable hostility with the notion that, for the mere lapse of time, congress authorised the secretary to remove the public moneys from the bank two years and more before the charter would expire. The bank cannot give facilities for transferring and distributing the public funds throughout the United States, in payment of the public creditors, without having the funds in her possession to transfer and distribute. The duty is for the whole period of the charter. The possession is implied for the same period. Whatever may be the discretion of the secretary as to other causes, he has no discretion to remove the deposits for the mere lapse of time, since the 15th section secured to the public, for the whole time of the charter, the performance of the duty by the bank.

2. This cause has not, and never had any contingency about it, nor is the removal on account of it, a remedy for an unexpected evil. If there is any evil in permitting the deposits to remain in the bank until the expiration of the charter, congress knew that the evil would occur, unless they should guard against it and yet they did not guard against it, but gave the bank a right to the deposits for the whole time, and received from the bank a compensation proportioned to that time.

3. The cause is not well founded in point of fact. The charter does not expire on the 3d of March, 1836. Certain of the faculties of the corporation will expire at that time, and certain of them will not; and the very faculties which will not expire are those whose cessation would alone give color to the removal, upon the ground of time. The faculty of retaining the public and private deposits, and paying them in such portions as may be required, will continue after the 3d of March, 1836, in as much rigor as before. The bank will continue for two years after that time to be a corporation for the purpose of holding and paying deposits, and of owning and paying her bank notes in circulation; and what other corporate faculties concern the security of the public treasure?

4. This cause is founded, moreover, upon an assumption that it would be the height of extravagance to suppose it was contemplated by the congress which incorporated the bank. The secretary supposes that the charter, "in many of its provisions, is not warranted by the constitution, and that such a powerful moneyed monopoly is dangerous to the liberties of the people, and to the purity of our political institutions;" and that he is required to act upon the mere lapse of time, because he has no right to assume that unconstitutional law, and a law dangerous to the liberties of the people, will be renewed. But it seems to have been forgotten that the question of removal is not the question of renewal, but a question of the interpretation of the charter; and, if this is the true question, can it be seriously alleged that the congress which passed this law meant to include among the sufficient causes of removal, one that depended on the assumption that the charter was against the constitution? Had the charter contained an express stipulation that it never should be renewed, instead of its following as a consequence that the bank ought not to enjoy the privileges and benefits promised her up to the last moment of her existence, the contrary would have followed, because the bank could not have an indemnity for the wrong in the terms of a subsequent charter.

5. It is attempted to sustain the propriety of the removal for this cause, upon the further ground, that the question of renewal has been decided adversely to the bank by the last election of president. But what part of the charter, or of any law of congress, authorizes the secretary to communicate such a reason to the house? Where is the warrant for the secretary's instructing congress as to the decision of the people upon a mat-

ter of future legislation? By what channel does the secretary maintain an intercourse with the people that is not open to their representatives? How does the secretary know any thing as to the wishes of the people, which the representatives of the people do not better know themselves? The communication of such a reason to the representatives of freemen, who are themselves freemen, is without a precedent in the history of this or any other representative government. The alleged fact is, moreover, an assumption, and a mere assumption, without proof, and without the means of proof. It is a political inference which the people of this country will never sustain, until they are prepared to say that the election of a president is not the result of a preference founded upon his general qualifications, opinions and actions, but is an adoption and ratification of his single will to any extent that he has at any time declared it, and even when he may have declared it in contrary directions at different times.

6. Another suggestion by the secretary, in connexion with the question of time, is the apprehension of danger to the deposits, by permitting them to remain in the bank until the expiration of the charter. The congress of 1816 were but a very few years removed from a parallel case in the history of our government, calculated to put to flight every such apprehension. They had at that time before them the closing transactions of the first bank of the United States. They had seen that the first administration of Mr. Madison (and it was in his second term of office that the present bank was chartered) witnessed the continuance of the public deposits in that bank to the last moment of its existence. They had seen that the then secretary of the treasury, Mr. Gallatin, who had been in office for ten years, and who had for twice ten years given the strength of his powerful mind to the investigations of finance, and of practical banking, had not directed a removal of the deposits from any apprehension of a final default in the bank. They had seen this, moreover, in the case of a bank whose corporate powers expired totally and absolutely on the 3d of March, 1811, so that all subsequent operations were to be conducted by the machinery of a trust, and by no other means. They had seen this bank expire with a circulation then flowing through the country greater than the maximum of its amount at any previous time, with the usual extent of deposits, public and private, in its vaults; with nearly all its canvass of every kind spread to the last hour of its voyage, and which the just and amicable relations subsisting between the administration and the bank made it safe to spread for the good of the country. They had seen the trustees of that bank pay every dollar of its debts instantly upon demand; and finally, they had seen that demand so much behind the ability of the trustees to meet it, that its tardy approaches were quickened by repeated public notices to come in and relieve the trust, by presenting the notes for payment. And what did the congress of 1816 provide, or mean to provide, for the occurrence of the same day in the career of the present bank? Did they mean to provide for an apprehension which they knew to be chimerical? Did they mean to give occasion for actual apprehension and dismay, by authorising the officer at the head of the treasury to declare that there was cause for them, and by his very declaration to create them? On the contrary, they negative all such fears and suppositions, by adding two years more to the corporate existence of the bank, for the very purpose of enabling it to liquidate its affairs after its banking powers were at an end.

The minority deem it expedient to add a summary statement of the condition of the first bank of the United States on the 1st of March, 1811, two days before the expiration of its charter, and at two semi-annual periods after the expiration, and to name the tables from which they are derived, that the benefit of the facts may avail hereafter, if unfortunately they are to be lost to the country for all purposes of present good.

On the 1st of January, 1811, the situation of the bank was as follows:

Notes discounted and loans	\$17,759,001
Specie	5,317,885
Public deposits	6,474,402
Private deposits	3,855,402
Notes in circulation	6,070,153

On the 1st of March, 1811, the same items stood thus:

Notes discounted and loans	14,587,134
Specie	4,835,702
Public deposits	2,874,838
Private deposits	3,585,596
Notes in circulation	6,552,575
On the 1st of September, 1811, the same items stood thus:	
Amount of discounts and loans	7,152,788
Specie	4,500,527
Public deposits	432,349
Private deposits	448,112
Notes in circulation	2,963,309
On the 1st of March, 1812, twelve months after the expiration	

of the charter:	
Amount of discounts and loans	3,792,975
Specie	6,116,778
Public deposits	81,517
Private deposits	223,442
Notes in circulation	1,070,459

It is unnecessary to suggest the inferences to which these statements give rise. By adverting to the ratio which the capital of the first bank, ten millions of dollars, bears to thirty-five millions, the capital of the present bank, and by applying the

same ratio to the liabilities and resources of the two banks, it will be easy to perceive whether the case of the first bank was, or was not, of a character to allay the alleged apprehensions of the secretary.

7. The remaining suggestion of the secretary, under the head of time, is the necessity or expediency of providing the country with a paper currency from the local banks, as a substitute for that of the bank of the United States.

The minority have understood the committee to say that they do not claim for the secretary a power to remove the deposits for the purpose of regulating the currency. The question is what the secretary has claimed for himself; and that there may be no misunderstanding about it, extracts from his letter are given, that it may be seen not only that the secretary has claimed this power, but that the effect upon the currency was the great public and political purpose of the whole operation. "Nothing can be more distinctly and literally avowed. 'It is obvious,' the secretary says, 'that the interests of the country would not be promoted by permitting the deposits of the public money to continue in the bank until its charter expired. Judging from the past, it is highly probable that they will always amount to several millions of dollars. It would evidently produce serious inconvenience, if such a large sum were left in possession of the bank until the last moment of its existence, and then be suddenly withdrawn, when its immense circulation is returning upon it to be redeemed, and its private depositors removing their funds into other institutions. The ability of the bank, under such circumstances, to be prompt in its payments to the government, may be well doubted, even if the ultimate safety of the deposits could be relied upon. Besides, the principal circulating medium now in the hands of the people, and the one most commonly used in the exchanges between distant places, consists of the notes of the bank of the United States and its numerous branches. The sudden withdrawal of its present amount of circulation, or its sudden depreciation before any other sound and convenient currency was substituted for it, would certainly produce extensive evils, and be sensibly felt among all classes of society.'"

The secretary then adverts to the public agreement to receive the notes of the bank in payment of its dues, and proceeds as follows: "But this obligation on the part of the United States will cease on the third of March, 1836, when the charter expires; and so soon as this happens, all the outstanding notes of the bank will lose the peculiar value they now possess, and the notes payable at distant places become as much depreciated as the notes of local banks. And if, in the mean time, no other currency is substituted in its place by common consent, it is easy to foresee the extent of the embarrassment which would be caused by the sudden derangement of the circulating medium. It would be too late, at that time, to provide a substitute which would ward off the evil. The notes of the bank of the United States in circulation on the second of September last, which was the date of the latest return before me when the order for removal was given, amounted to \$18,413,287 07, scattered in every part of the United States; and if a safe and sound currency were immediately provided, on the termination of the charter, to take the place of these notes, it would still require time to bring it into general use, and in the interim the people would be subjected to all the inconveniences and losses which necessarily arise from an unsound state of the currency. The evil would be so great, and the distress so general, that it might even compel congress, against its wishes, to recharter the bank; and perhaps more effectual means could hardly be devised for insuring the renewal of the charter. It is evident that a state of things so much to be deprecated can only be avoided by timely preparation; and the continuance of the deposits can only be justified by the determination to renew the charter. The state banks can, I have no doubt, furnish a general circulating medium, quite as uniform in value as that which has been afforded by the bank of the United States—probably more so. For it is well known that, in some of the cities, the branches of the bank have been in the habit, whenever they thought proper, of refusing to honor the notes of their own bank, payable at other branches, when they were not offered in discharge of a debt due to the United States. But a currency founded on the notes of state banks could not be suddenly substituted for that heretofore furnished by the bank of the United States, and take the place of it, at the same moment, in every part of the union. It is essential that the change should be gradual, and sufficient time should be allowed to suffer it to make its way by the ordinary operations of commerce, without requiring a hasty and violent effort.

"In this view of the subject, it would be highly injudicious to suffer the deposits to remain in the bank of the United States until the close of its corporate existence. And as they cannot be withdrawn without the action of the secretary of the treasury, it must unavoidably become his duty, at some period of time, to exercise the power of removal."

These are literal extracts from the secretary's letter, and no one who reads them can doubt that the secretary claims the right to regulate the currency, and that he meant to force one kind of currency out, and, by means of the state banks, to force another kind of currency into use. Can any one who has read his letter, doubt that, if this power is denied by the committee, they deny the whole case of the secretary? The lever he has undertaken to use, is one which not only cannot be used without changing the currency, but the secretary has used it for the express determinate purpose of producing the change. But to proceed with the reason itself:

The value of the measure, as an operation of finance, to expel one currency, and to introduce a better, has been already tested, in the short time which has elapsed since the order of removal. The discounts of the bank have been partially reduced, yet the circulation of the bank, instead of being diminished, has increased. The local bank paper, except for local purposes, has generally depreciated, and the paper of the bank of the U. States is at par in all places except where it is above par. But without adverting further to the incompetency of the means proposed to attain the end, it is an imputation upon the congress of 1816 to say they intended to authorise the secretary of the treasury to use any means whatever for the attainment of such an end. The avowed purpose of the secretary is to change the currency of the country, and to change it during the very time in which congress have made a different provision in regard to it. The purpose is to be effected by compelling the bank of the United States to cease lending, and by enabling the deposit banks to lend; by compelling the one to cease circulating bank notes, and enabling the others to circulate them more extensively. In fine, by compelling them all to give him indirectly the management of banks, without any law, warrant, or title, and to surrender it themselves, contrary to the laws by which they are exclusively entitled to it. A power to do this congress could lawfully give to a secretary of the treasury, and no congress therefore should be presumed to have given it. It is a delegation of the highest powers of legislation, under the form of ministerial agency. If there is any legislative power which demands more circumspection in its use than any other, it is that of regulating the currency. The currency is the measure of value of every man's property, of his contracts, of indemnity for the breach of them, and of the revenue of the country; and without a due adjustment of it, it is a hopeless effort to distribute in equal proportion among the citizens either the burdens or advantages of civil society. A deranged currency deranges every institution of the country that has any relation to property. It makes laws, promises, the verdicts of juries and the judgments of courts, speak unintentionally the language of falsehood or deceit. It gives a premium to fraud, and strips honest labor of its scanty earnings, by paying to it half of its just recompense in the false and counterfeit name of the whole. Yet this power the secretary of the treasury claims to exercise, by delegation from the representatives of the people, and he has proceeded to the exercise of it, with consequences which are now spreading in a wave of destruction over the whole country. The secretary claims the power to remove the public deposits from the bank, if in any degree it tends to promote the convenience of the people, that is to say, if it so tends to his opinion; and his opinion, with this mighty lever of the public revenue, is, consequently, to sway the universal interests of this immense people. And what are the direct evidences that congress meant to give the secretary of the treasury any such power? He is not by law intrusted with the custody of a single dollar of the public treasure. His hands do not legally receive it, and cannot legally hold it. His duty is to prepare plans for the management and improvement of the revenue, to prepare estimates of the revenue and expenditures, to superintend the collection of the revenue, to decide on the forms of keeping and stating accounts, and to grant warrants in pursuance of appropriations by law. The notes of the bank of the United States, against which this battery is directed, he is bound by law to protect, by requiring all public collectors to receive them in all payments to the United States. The stock of the nation in the bank of the U. States he cannot sell, nor separate their interest, to the extent of seven millions, from that of the other stockholders of the bank. The payment of the interest and principal of the public debt must be made by and through the bank, as commissioners of loans. The military pensions must be paid through the same channel. And thus, while several permanent laws of congress, without any limitation in point of time, sustain the circulation of the bank, the relations between the bank and the treasury, and the control thus obtained over the currency of the country, the secretary of the treasury, under a provisional clause in the bank charter, to order that the deposits of the public moneys shall not be made there, claims the authority to break up the present system, and to substitute another, for regulating the currency and property of twenty-four states, and thirteen millions of people. The minority do not believe that a like attempt has ever before been made, with or without authority, and all present indications are inconceivably deceptive, if the result shall not afford a memorable warning against the like attempt again.

The secretary's plan is now called an *experiment*. The name is adopted, because it would seem only to defer, and not absolutely to destroy, the hope of ultimate safety. It is adopted, because it would seem to make those who prosecute it responsible for less, because they promise less. But the change of name changes neither the thing nor the responsibility for it. If it be an *experiment*, what law, what principle of our civil associations, authorises the treasury department to try such an experiment? What security does government afford to the property of the citizens, if the treasury may try experiments with it? If it be an experiment, what authorised its trial in a day of unusual prosperity, and when the only rational prayer to the Civil Ruler was, "let us alone?" What justifies its continuance, when the first test that has been cast into the crucible with the precious materials of human happiness, has nearly decomposed them all, and threatens to convert them into poisons that will corrode and canker the country to its very heart? It is no

longer an experiment. It has been tried, exposed, and ought to be rejected. It is no longer an experiment, unless it would deserve the name of an experiment to try whether life can be supported without vital air, or the laborer and his children without daily bread.

It should finally happen, in the progress of the experiment, that a currency is created such as the secretary anticipates, what is that currency to be to the country, and what is the country to be by means of it? This question may be answered by our own history, as it might be answered without the aid of history. It is not to be a national currency, nor a currency partly local, and partly national, maintained every where in the condition of equality, by a universally pervading influence, but it is to be a variety of local currencies, subject to local influence only. The state banks, and the state banks only, are to furnish it. They are to furnish it under the patronage of the treasury, and with a full knowledge of the maxims which have been quoted by the committee, *"that the borrower is the servant of the lender,"* and that *"he who controls a bank, controls the debtors of a bank,"* maxims which will be found to lose none of their force when state banks shall feel the effect of their position as borrowers of the treasury, and debtors shall feel it also as borrowers of state banks that are under the control of the treasury.

It will be a currency wholly removed from that restraint which a national institution is alone capable of imposing in all parts of the union, that is to say, free from all banking restraint whatever; for, practically, there can be no restraint where there is no general and pervading power to enforce it. In some, perhaps in several, of the untrammelled and independent state banks, banking will be conducted upon judicious principles so far as it regards their own operations; and their own local currency may continue for a time locally sound. But where shall be the controlling cause that shall secure this result, where the principles of banking are unsound, and where the desire of large profits shall tempt state banks to extend their issues beyond that measure which experience has ascertained to be the only safe and accurate measure? Where is to be found the universal presence of a test that will instantly detect excess, and lead to its detection? That test is to be found in a national paper, based upon the precious metals, sustained by the law of the whole land, received in payment of all public dues, circulating every where, and furnishing a standard of comparison every where. Where, again, is to be found the necessity, as well as the power, of applying the corrective? This corrective is to be found in an institution which issues that national paper, and which, in self-defence, and in defence of the nation also, must repress the circulation of every bank that does not provide it with the means of disbursing the public treasure in all parts of the United States. The paper that is really sound, will be as good as its own, and will be received as such, and may circulate as such. But if the paper of any one of the state banks is not as good as its own, such an institution cannot receive it, because it cannot account for it every where to government, in an equal amount of its own paper or of specie. If it cannot be received by the national institution, it must return to those who issue it, and the corrective is at once applied.

The system of local banks, of which those to be employed by the treasury are to form a part, is, therefore, defective in this, that their circulation will be local. They will be constantly endeavoring, at least in a great many cases, to send out their paper to excess, and there cannot be the regular application of the corrective, that will as constantly prevent it. It may be repressed in some instances, in an irregular way, by sound state banks; it may also be partially repressed by demands from other states; but the effort to do it regularly, will be without inducement, and will not be sustained by the requisite ability. Excess will creep upon the country until it is universally diffused; and when an accidental state of the balances shall turn the excess suddenly back upon the banks which have issued it, disorder will come, and with it universal alarm and bankruptcy. This is the history of the past, and a lesson for the future. A confederation of state banks, sanctioned by the laws of the states, is a scheme which the minority do not think it necessary to combat, until some one shall propose it, and present its outlines. An attempt to regulate the currency by the operations of state banks, through private compacts, with each other, or with the treasury department, will probably fail, however often repeated, as it has failed already. A partnership of different corporations, for profit and loss, or of mutual guaranty, with independent boards of directors, is as strange a contrivance for the security of stockholders, as it is for the control and regulation of the currency. When the question of providing a regulation for the currency shall be deliberately considered, the minority have no doubt that the project of employing state banks for national purposes will be universally rejected as impracticable.

The hope of obviating all these difficulties by the final substitution of a metallic currency in exclusion of bank paper of every kind, is a mere delusion. No one who reflects upon the subject at all, can either see how it is to be effected, or what it is to do but harm, when it shall be effected. Through what process are the state banks to be extinguished, as well as the U. States bank? If they continue, how is their paper to be superseded? If their paper is to remain, who is to exchange a productive capital for specie to serve as currency, when paper, which costs nothing, will answer the same purpose? Who is

to begin the traffic? For specie, like other merchandise, is to be bought and paid for; and it must be bought and paid for by something besides paper. And when there shall be a thorough abolition of every kind of paper from use, how will the gold and silver be better than the paper we have had hitherto, which gave us all the gold and silver we wanted, and did not compel us to take it when we did not want it? What will the country have gained, and particularly the industrious and enterprising, who are without capital, and must borrow it in order to use it—the men by whom this nation has been enriched and strengthened? What will the industrious and enterprising do, after a scheme shall have succeeded, which, by destroying paper, will infallibly destroy bank credit, and give to the man of capital a monopoly of the trade and industry of the country? The subject, however, need not be pursued. There is a power in the necessities of men, which will baffle all such designs, if they shall be seriously entertained; and this the minority do not, in the slightest degree, apprehend. If bank paper is not to be wholly extinguished, but only diminished by the substitution of metal for the smaller denominations of notes, this, indeed, is admitted to be an object of great importance, and mainly for the reason that, in case of an unusual call upon banks for specie, they may be able the more readily to repair their resources from the channels of the country. But, if this design is to be carried into effect at all, it is demonstrable that it can only be done by a national institution operating with the public treasury, and regulated by laws of congress, directed to the great constitutional end of equalizing and sustaining the currency. State banks and their operations are to be controlled, and not the controlling power, in the execution of such a design; and, consequently, the plan of the secretary, for extending the power and circulation of the state banks, is at the farthest possible distance from the object of either extinguishing or diminishing paper currency.

The minority do not deem it necessary to make any further remarks upon the reasons of the secretary for removing the public deposits, in order to prepare a currency in state bank paper.

VII. Another reason of the secretary for removing the deposits, is derived from the supposed pressure by the bank upon its debtors, including the state banks, in the months of August and September, 1833, to coerce a renewal of the charter.

The minority deem it an act of indispensible justice to the bank to say that if reductions have at any time pressed with unnecessary severity upon her debtors, of which they have seen no evidence, the bank stands excused before the world by the course of the treasury department. The act of removal has not only been an act of declared hostility, but it has been preceded and followed by all the customary practices of embittered war. The bank has never been directly apprised of any thing that the treasury proposed to carry into effect against her. If made aware of it, it has been through rumors in the streets, or hints in the newspapers, and never from the treasury department until the moment that the blow was given. The determination to remove the deposits has not, to this day, been made known to the bank by any official communication from the treasury; no evidence certainly of such a communication has been sent to this house. An order of the 28th September, 1833, by the secretary to the president of the bank, to deliver to the collector at Philadelphia all bonds to the United States, payable on or after the 1st of October, was the only announcement to the bank in Philadelphia; and this, by the collector's letter of the 28th, would seem to have been communicated to the bank on the 30th of September. Yet it is now known that the removal of the deposits was a foregone conclusion a considerable time before that.

The times and amounts in which the deposits were to be drawn by the treasury, were not only not made known, but were concealed from the bank. The treasurer had been for years in the practice of sending daily lists to the bank of every draught drawn upon it, stating both the date and the amounts, without the names of the holders; and he also sent weekly lists of the draughts, with the particulars in every point. These were the suggestions of amity to assist the bank, by the fullest information of the treasury purposes. But as soon as the policy of the treasury department was altered, and a hostile attitude assumed, the practice of daily and weekly lists was continued; but they did not speak the whole truth. Draughts to an immense amount were withheld from the lists, to be used according to contingencies, and at points where the bank might or might not be prepared to meet them; and the daily and weekly lists consequently became instruments of deception to the bank. The bank was left to ascertain and prepare for the treasury demand, with deceptive information as to its extent. The minority annex hereto the correspondence between the treasurer and the cashier of the bank upon this subject.

And even now, when the cry is still that the bank is oppressing the country, rumor gives out, with her thousand tongues, that it is the purpose of the treasurer to reject the whole mass of bank draughts at present in circulation, amounting probably to more than five millions, and to force them back upon the bank, by refusing to receive them in payments to the United States. The bank is left to ascertain the truth of this also, and to prepare for it as she may.

Can it be justly said that the bank has, at any time, done more than was necessary for her protection, when the treasury department has made it impossible for the bank to know whether any thing short of defence, at all points and in every form, would give protection.

What is the position in which the removal of the deposits has placed the bank of the United States? Before that removal, the bank collected and disbursed the public revenue, facilitated the domestic exchanges by means of it, and kept in order the currency of the country every where. The bank then owed these duties to the whole nation, and her obligations to the stockholders were secondary. She is now deprived of the means of performing them, and her obligations to her stockholders and creditors have become primary. The bank of the United States is now a private bank, forced to become so against the will of her directors and stockholders, not sustained but opposed by the treasury, and therefore left to sustain herself. What is to measure her loans to the community, but the sense of her own safety. What is to be the judgment she is to form of the experiment now on trial, but her own judgment? She considers, and, according to the report of the committee, she is bound to consider, that the sentence of death has gone forth against her; and if this be so, what principle compels her to put the capital of her stockholders at risk upon the issue of an experiment?

The alleged pressure by the bank in August and September, 1833, with a view to coerce a recharter, requires to be particularly considered, for two reasons: first, because it is believed that the reason of the secretary is not in this instance sustained by evidence; and, secondly, because it is also believed that what the bank has done, is doing, and will probably be forced to continue to do, is in perfect coincidence in all its parts with the plan which the secretary intended, by the removal of the deposits, to force upon the bank and the country.

1. The imputed design of the bank to coerce the renewal of its charter, is an inference from the mere fact of its reductions. There is nothing else suggested to justify the imputation, and its propriety is consequently not to be made either more or less clear by argument. If such was the design of the bank, it is impossible to imagine any plan that could more effectually have promoted it, than that of the secretary. The fact of pressure and distress in August and September, 1833, is however now known to have been assumed as a motive for the removal, without sufficient evidence or consideration. Pressure and distress are, it is true, terms which indicate comparative rather than absolute difficulty, and, therefore, it is not easy to prove that the payment of debts to a bank is not always the occasion of some pressure and distress to those who are compelled to pay. But such are sufficiently at ease to consider what was the condition of the country during the sixty days which preceded the removal of the public deposits, and to compare it with that which it has assumed in the course of the last two months, will admit that the state of the country, up to the hour of removing the deposits, was a state of comparative beatitude. In the now established sense of pressure and distress, the commercial cities and the country, up to the removal of the deposits, were wholly exempt from every appearance of either. That justification of the secretary's motive fails therefore entirely in point of fact. Had any such pressure existed, the intention to remove was so justly apprehended for months before it was executed, and the reductions by the bank of the United States in August and September were so indispensable to her safety, in the extraordinary relation in which the treasury was about to place her, that few persons, who consider the subject dispassionately, would be inclined to infer a purpose of coercion from that which could be so much more naturally traced to the motive of self-protection.

2. But the conclusive answer to the secretary's reason is, that what the bank did, is doing, and must continue to do, was, and is, and will continue to be, the inevitable effect, as well as the declared purpose, of the secretary's plan. That plan seems of late to have been put aside for the more satisfactory occupation of ensuring the bank. It deserves to be recalled to the consideration of the house. It is to be recollected that the secretary assumes as a postulate, that the notes of the bank, as soon as the charter expires on the 3d of March, 1836, "will lose the peculiar value they now possess, and the notes payable at distant places become as much depreciated as the notes of local banks; and if in the mean time no other currency is substituted in its place by common consent, it is easy to foresee the extent of the embarrassment which would be caused by the sudden derangement of the circulating medium." The secretary then proceeds to say, that "it is of the first importance to the interests of the public, that these notes should all be taken out of circulation before they depreciate in the hands of individuals who hold them; and they ought to be withdrawn gradually, and their places supplied as they retire, by the currency which will become the substitute for them." The secretary then immediately inquires, "How long will it require for the ordinary operations of commerce, and the reduction of discounts by the bank, to withdraw the amount of circulation before mentioned, without giving a shock to the currency, or producing a distressing pressure upon the community?" The secretary answers his own question—"I am convinced that the time which remained for the charter to run after the first of October, (the day on which the first order for removal took effect), was not more than was proper to accomplish the object with safety to the community; and if it had depended on my judgment at an earlier period, I should have preferred, and should have taken, a longer time." Here, then, is the secretary's plan distinctly announced. The bank was to be compelled to withdraw all her notes from circulation before the 3d of March, 1836, and was to begin forthwith,

as the whole time that remained was not more than was enough. The secretary would have taken more if he could, and the bank, by taking the two months before the removal, did but assist the design of the secretary. The secretary himself perceives that the bank can effect the recall of the notes only by reducing the discounts. His plan, therefore, was to compel reduction forthwith by removing the deposits. This is demonstrably plain. It admits of no doubt whatever. The extent of reduction necessary to produce this effect, was consequently the very extent of reduction which the secretary meant to force upon the bank, and any reduction short of it is less than he intended. Now, it is equally clear that nothing could call in the whole circulation, but calling in all the discounts and closing the bank. With the first discount the first bank note went out. The last note may be expected to come in with the last loan that shall be repaid. The secretary's plan, to take all the notes out of circulation before the 3d of March, 1836, was therefore a plan to call in all the discounts before the same day; and in what way sixty-four millions of discounts, the amount in August, 1833, could be called in, in thirty one months, at a less rate than two millions per month, remains to be shown. It is impossible to show it. The bank has not, in fact, called in ten millions in six months; and more than what she has called in has been taken away from her by public and private depositors. The rate of reduction has been less, consequently, than the secretary's plan required, and there must be more reduction if the bank does not mean to defeat the plan of the secretary.

One alternative only is then presented to those who object to the reductions of the bank. Either the bank has not yet reduced enough, for she has not been able to reduce her circulation at all, or the whole scheme is exploded the instant it is subjected to practice. It is obvious that the only measure which the secretary deemed repugnant to the interests of the country was the extension of discounts by the bank, or the continuance of their amount as it stood at the time of the removal. Reduction was the agent and the only agent that he intended to see. If the plan of the secretary is to be defeated and maintained, complaints of reduction by the bank, far greater than she has ordered, will be without color of justification, since far greater reductions will be necessary to effect his plan. If, on the contrary, the plan is to be abandoned because it is utterly impracticable, it ought to be wholly abandoned, and the path of wisdom as well as of justice will then be found in a return to the point of departure. The fact unquestionably is, that the removal of the deposits, the reduction of discounts, and the consequent reduction of the bank circulation, have been considered without the slightest reference to the complex state of pecuniary relations existing in the country. The whole process has been regarded as a mechanical affair, of which all the details would quietly come out as necessary results of the first measure. No allowance has been made for the consequences of confidence broken up, of the interruption of that regular series of receipts and payments, by which the resources of the creditor and debtor are alternately repaired, of exposing to trial, or even to suspicion, the fragile virtue of those state banks that are able to live upon their reputation merely because it is not questioned, and of attempting to take out of a powerful machine, while it is in full operation, the wheel that balances and regulates the whole. No allowance has been made for any of these consequences, by those who have led to their occurrence; and now when we are surrounded by them, and cannot escape from them, even the plan which has caused them is forgotten in the course of the bank for conforming to it. The bank is but travelling in the path which the secretary prescribed, and to which the removal of the deposits, and the collection of the revenue through other banks, must inevitably confine her. Her resources for general relief have been taken away, and given to those who cannot use them. Her ability to secure the return of what she lends in the sound currency in which she lends, is also gone. The whole country perceives that what is wanted is security for the future; and while the plan of the secretary shall be prosecuted in any of its parts, the people will not believe that a single day of the future is secure. This universal distrust and apprehension, and not the operations of the bank, will be received by the dispassionate observer as the solution of the difficulties which now surround us; and whatever will remove this distrust and apprehension, and nothing short of it, will provide the remedy. The return of the deposits is, in the judgment of the minority, an indispensable part of this remedy, due by public faith to the bank, due also by public policy as a declaration of peace between the treasury and the bank. But they cannot regard the mere return as affording the promise of a radical cure. The eyes of the nation are now intently fixed upon the currency. If the present bank is not to be rechartered, something to regulate the currency must be provided in its place. The plan of the secretary gives over the regulation to state banks, which will themselves be promoters of the disorder. The country requires something which will regulate the state banks. Until this is effectually provided, the minority have no expectation that distrust and apprehension will disappear, however they may be diminished.

VIII. The remaining reasons of the secretary may be classed under two heads: acts by the bank in violation of its charter, and an act or acts of unfaithfulness in the execution of its duty to the treasury. Under the first must be included the constitution of the exchange committee of the bank, the alleged exclusion from that committee of the directors appointed by the president of the United States, and the expenditure of money for

printing and circulating pamphlets. Under the second, no fact is particularly noticed by the secretary, but the case of the French bill.

1. In relation to all the operations of the bank included under the first head, it must be answered, that whether the bank has been right or wrong, her board of directors assert the legal right to do whatever has been done. Her American stockholders also, who, with the fullest knowledge of all the circumstances, have repeatedly elected the same directors, assert the same right, and approve the acts which have been done in execution of it. If these acts are not in violation of the charter, they are mere acts of administration or management of the bank, which the United States as a stockholder have agreed to commit to the discretion of the board of directors.

The directors appointed by the president have no veto upon the resolutions of the board. The president has no such veto. If the resolutions are lawful, the charter, and all the stockholders, public and private, as parties to it, must be considered as having committed to the directors the entire discretion to make and execute them. They may have been inexpedient, and if they have been, the corrective is to be sought in the annual elections. They may have been deemed inexpedient by the directors appointed by the president, but if they have been, the law has determined that they are legally bound by the voice of a majority of the board. Upon questions of administration within the legal competency of the board, there is no more justification of an attempt to tear the bank to pieces, by a part of the directors, or by the treasury department in support of them, because the voice of the minority is not respected, than there would be for an attempt by a state or states, for the like reason, to sever the union. All the parties to the compact have agreed that questions of administration within the lawful competency of the legislature, whether of the bank or of the union, shall be decided by a majority, and if they require correction, that they shall be corrected by a majority, and in no other way.

Upon the supposition, then, that these measures of administration by the bank have been lawful, the minority take it to be free from doubt, that the secretary's dissatisfaction with them is not one of the causes which authorised him to remove the deposits. The management of the bank has not been committed to the secretary. He has no right whatever to inspect its management, or even its condition, except in a limited way, for the purpose of ascertaining the security of the deposits. To have given him the power of removal in any case, in which he should deem the management wrong, would have been to give him effectually the management of the bank in every particular. The charter removes all such causes from his cognizance by committing the management of the bank to the directors, under such powers and restrictions as the charter and by-laws determine.

On the other hand, the acts thus questioned are violations of charter, the objections to the secretary's act are equally plain. In the first place, he is not the officer to whom the charter has confided the authority to direct a prosecution for a violation of charter; in the next place, it has expressly confided that authority to others; in the third place, the bank is entitled to be heard before any judgment of violation is pronounced; and lastly, that judgment is to be pronounced by the judicial department only.

The secretary's power to arraign the bank for violation of charter cannot be asserted. It is a power of the most delicate and critical nature, and the 23d section of the charter commits it to the president and to congress only. That the secretary should be impliedly authorised to decide the whole question, and to remove the deposits at once upon that ground, when the charter does not give him authority to issue a *setra facias* to have the question tried, cannot be maintained. Those who have authority to direct the prosecution, have no right to try it, or to give judgment on it. The judicial power is not in congress or in the president, and they cannot exercise it without themselves violating the charter of the bank, and the constitution also. The bank is not even charged with violation of charter. When charged, she will be entitled to a hearing; when heard, she will have the benefit of trial by jury; and when the first judgment shall have been rendered, she will be entitled, if it be adverse, to a review in the supreme court of the union. In the mean time, in the sight of the nation and the law, all her charter rights remain in their original vigor. If the want of sufficient time to try the question is a reason for deciding it without trial, it is one that prostrates all the barriers which the constitution has raised between the assertion of arbitrary power, and the life, liberty and property of the citizens. The spirit which grows up the temperate and deliberate inquiries of the judicial magistrate, and demands its victim in anticipation of the tardy and unaccommodating sentence of the law, is not the spirit of the constitution, nor of the law abiding people of the United States.

The bank then has a legal right to say, as her directors have said, that she has not been guilty of any violation of charter, and congress have not the legal right to adjudge the contrary. If they cannot adjudge the contrary, they cannot lawfully deprive the bank of a single privilege or benefit conferred by the charter, upon the ground that she has lost them by violation of charter. Every benefit of the charter is a right of property, and it would be infinitely better for the constitution and for the people, that congress should at once hold the public deposits to be removable without cause, rather than assign the cause of violation of charter, and enforce the sentence of forfeiture to

the extent of a dollar, upon the *ex parte* report of a committee. The minority do not mean, so far as they are concerned, to impair the chartered rights of the bank, by attempting an investigation of the law and the facts before a body that is not constitutionally authorised to try them.

The exclusion of the directors appointed by the president is nowhere shown to have been ordered by the board, or by the president of the board. They have not been appointed on certain committees, and this is all that can be said, and the same may probably be said of many directors appointed by the private stockholders. It depends upon the pleasure of the board, and is a matter of administration. Whether there was any thing in the capacity or dispositions of the individual directors referred to, to make their appointment upon certain committees proper or improper, it might be deemed invidious in a paper of this kind to inquire, particularly as it is understood that the senate of the United States have not advised their re-appointment to office, and they therefore do not at present stand in the position of public servants, whose acts require further investigation.

The expenditure of money for printing and circulating pamphlets has not been questioned by the stockholders. They have been fully apprised of it, and they have more than once re-elected the directors who have authorised it. The right to print and publish is a constitutional right. It belongs to corporations as well as to natural persons. It cannot be previously restrained, and it cannot be subsequently punished, except by the sentence of a court, when it is proved to have been done in violation of law. If it has been necessary to defend the directors of the bank from aspersions upon their characters for what they have done as directors, or to prevent the credit of the bank from suffering by imputations upon its solvency, or the integrity of its administration, the charge of the expenditure belongs properly to the bank, because it is in vindication of the operations of the bank. As to such expenditures, the stockholders are the ultimate judges, and all the stockholders are bound by a vote of the majority ratifying the expenditure, as much as they would be by an order to incur it. The subsequent ratification, by the re-election of the directors who ordered it, is equivalent to an original command. Whatever printing or publishing has been done by the bank, has been done openly, without cover or disguise. It has been done in the assertion of a right, and the public have known it. Whether an influence equally public, and equally innocent, has directed and supported those attacks upon the bank, which have thrown upon the institution the expense of resisting them, it does not belong to the minority of this committee to inquire.

2. The case of the French bill, as upon a claim for damages by the bank, is not before the committee of ways and means. If the bank should make a claim upon congress for the satisfaction of that demand, it would probably be referred to a different committee. It is before the committee of ways and means upon the question whether the act of the bank in making such a claim to the secretary of the treasury, is a reason for dismissing the bank as a fiscal agent of the nation, and the majority of the committee have decided that it is. The minority are willing to leave this question to the decision of the house and of the country. It is a principle which, if rigorously applied, will possibly economize the time of the house, and the labor of the committee of claims. If it is understood to be the opinion of the house that every agent or officer of the nation, who makes a claim upon congress or upon the treasury, deserves to be dismissed from his office, it will probably put an end to all claims that are not thought to be worth more than the office, to the person who makes them. No one can by possibility do less than the bank has done in the prosecution of her claim, and therefore safety is to be found only, in not making claim at all. This objection does not unfitly close the test of the secretary's reasons. It is a case in which there was no agency in the bank, and no unfaithfulness in any one of her steps, from the time when the bill was bought from the treasury, to the time when it was returned under protest, and the treasury refunded the amount. The bill was bought, paid for, and duly forwarded by the bank, duly presented, duly protested for dishonor, duly returned, and duly notified to the treasury department. It was notified with a claim for damages, in the same manner in which the United States have for forty-five years notified similar claims to the drawers and endorsers of dishonored bills, and enforced them also without any exception. If this notification of a claim is sufficient to deprive the bank of her right to the public deposits, the minority are not unwilling that the character of the other reasons shall be inferred from that of their associate.

The minority are upon the whole of opinion that none of the reasons assigned by the secretary in his communication to congress are sufficient to justify the removal of the deposits. They are also of opinion that it is due to the bank to return them without regard to the sentiment of the house upon the subject of recharter. They are further of opinion that the situation of the country requires immediate action by congress, to restore public confidence, and to prevent a derangement of the currency. And they express to the house their settled conviction that these objects will not be attained if the public deposits are left in the state banks. They think, besides, that the universal voice of the country requires that something shall be immediately done for public relief, and that the resolutions proposed by the committee, will only aggravate the existing evils, instead of providing a remedy.

R. H. WILDE,  
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THE PAST—THE PRESENT—FOR THE FUTURE.

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The reply of the Baltimore committee to Mr. McKim's address, published in our last paper, will be found in the present.

The proceedings of a great meeting held at New York a few days ago, with the report of the "union committee" raised on the 11th ult. fill a large part of our sheet. We had nearly resolved not to enter upon the publication of any more long articles on the subject to which this report refers—but the importance of the facts generally offered, and the power with which they are presented to the public mind, have caused us to regard it as a document of great value, for present or future use. It is the work of Mr. Gallatin.

On Monday last, 24th inst. the people of Baltimore were thrown into a state of high excitement by the publication of the following notice, in two of the morning papers of that day:

TO THE PUBLIC.

Bank of Maryland, 24th March, 1834.

The board of directors of this institution have ascertained, with surprise and deep regret, equal to any that the community will feel, that this institution is unable to proceed with its business, and they have resolved to transfer all its effects to a trustee, for the equal benefit of the creditors of the bank.

The board of directors hope and trust that the assets will be sufficient to discharge the debts of the institution, and their determination to stop its business at once, is from a conviction that to continue it longer would only be attended with loss to the community. Their advice to the creditors, founded upon the best judgment they are now able to form, is, not to sacrifice their claims. The debtors of the institution will have the privilege of paying their debts with the notes and certificates of deposit, and the open accounts due by the bank, and these alone they hope will enable the note holders and depositors speedily to realize nearly all if not the entire amount of their credits. By order, R. WILSON, cashier.

[This notice was left at the offices late on Sunday evening, the 23d, though dated on the 24th.]

When this news reached the morning steambot for Philadelphia, some of the intended passengers rushed on shore, "as though she had been on fire," as a gentleman present remarked to us—and, by 8 o'clock, A. M. South street, (in which the bank of Maryland is, or was, located), was filled with an anxious and distressed multitude, some of whom were females! The crowd increased—but 9 o'clock arrived, and the door remained shut. This bank had heavy deposits on certificates bearing interest, and we think it probable that a larger amount of its notes were in the local circulation than the aggregate of all the rest of our banks, though its capital was only 300,000 dollars!—and it is very possible that from 25 to 30,000 dollars in its bills were paid away, in wages to working people, last Saturday evening, when they were offered and received in good faith! A large crowd remained before the door until even 10 or 11 o'clock at night, chiefly of the poorer classes of the people; and yet, to their lasting honor be it said, no act of violence was attempted, though "curses loud and deep" were uttered against "the experiment" which is now going on. As soon as the other banks opened, "runs" were made upon them all, for small sums in coin—which were promptly and good-humoredly satisfied; and hundreds of persons were seen in the streets carrying-off parcels of specie. The press at the Union bank was by far the greatest—there was a constant crowd before the door until about 4 o'clock, when, all who presented a claim against that bank being quieted, the doors were closed and the people retired, peaceably. This is the deposit bank; but, like the rest of the banks of this city, (except the *Susquehanna* and the *Maryland*, which have failed), had a small and well-guarded circulation; compared with its means; but a belief was generally, (though erroneously) entertained, that it had some close and intimate connexion with the bank of Maryland, and would be involved in a common fate. A few

small deposits were also withdrawn—but the resources of the bank were ample. On Tuesday there were light demands on most of the banks, and a considerable press again at the Union—but the alarm rapidly subsided, and, perhaps, the specie in the banks, (generally) that evening, was greater than it had been before the "run" commenced, many persons who held quantities of coin freely depositing it—and the office of the bank of the United States behaved nobly, being willing to extend the use of its means on the emergency—for the demand on this bank was insignificant; and, at some of the other banks, "*Uncle Sam's money*" was preferred to coin! On Wednesday, though many gloomy faces were seen in the streets, there was no general excitement—extra demands for coin were still made; but many returned on deposit that which had been previously withdrawn. Some engagements were violated, however, that would have been kept, if the bank of Maryland had not stopped payment; but the amount was not large. On Thursday extra demands for specie were still made—but no new difficulty has since occurred, or is just now expected—so far as we are informed.

The bank of Maryland had an extraordinary circulation! and enjoyed an uncommon degree of the public confidence; perhaps, for one reason, that its stock, the par value of which being only 300 dollars, was steadily quoted in the newspapers at 500 dollars! This may become a subject for future remark—for it presented an appearance of things which had no substantiality in it. But this bank held a large amount of the money of widows and orphans, small dealers and thrifty persons, mechanics and others, for interest was allowed even on transient deposits; and the manners of the president were popular, and his accommodations liberal. Perhaps the failure of any other three of our local banks would not have so immediately affected the classes of society referred to—all the means of many being lost to present use, unless sold at fifty per cent. discount. We have heard of many cases any one of which is enough to make a man's heart ache—but "perish credit" is proclaimed in congress, and "the experiment" is to be persevered in by "the government." We lost nothing by this bank.\* It was manifest to us that the circulation of its notes was violently forced; and, since the "experiment" began, we steadily, but quietly, acted towards that bank as though it might fail within the next twenty-four hours—and if one or two of our friends, to whom we confidentially, (and for their own use only), stated our fears, had acted upon them, they would have been better off than they are; but nothing had openly happened that could have justified us in throwing those fears before the public—and no disposition existed to injure the credit of the bank, or embarrass its operations. A good deal could be said on these matters, but we shall refrain.

The effect of this failure is yet to be seen. Those who have charge of its affairs ought to publish an exact statement of them as soon as possible, and, no doubt, will do it. The notes of the bank, and the certificates of deposits issued by it, is posted up at some of the brokers' offices, will be exchanged at 50 per cent. loss to the holders of them! But it is expected that all these, at least, will be ultimately paid; and more may be done, if the debtors of the bank do not give way.

There is a large amount of bills issued by the "Union bank of Tennessee," made payable at the bank of Maryland, in circulation. We think that the Tennessee bank cannot be held accountable for the amount of these bills unless they are formally protested, the demand at the bank of Maryland not being satisfied.† These notes, as

\*Being also sorry to say that we have but little "money," just now, to lose!

†The (Baltimore) American of yesterday says—We learn, from an unquestionable source, that large remittances from the Union bank of Tennessee have been received within a few days,

well as those of the last named bank, have a wide range in the south and west.

We shall close this article by taking leave to say, that, in our serious opinion, the Baltimore banks, (with the exception of the Susquehanna bank and the bank of Maryland), are in as good a condition as those of any other city—and that we regard every one of them trust-worthy. If we thought otherwise, we *dare* say it—and, surely, would not mislead any one on this subject. We have a great stake in the soundness and uniformity, and sufficiency, of the currency; but no other *particular* interest in any bank than proportionally belongs to those who trap beaver in the regions beyond the Rocky Mountains. We do not hold one share of bank stock, nor feel ourselves under a sense of *favor* to any bank. Our little account has been kept in the *Union bank of Maryland* many years, without a single jar or hard thought, so far as we know, between the parties—and it will yet remain in that bank, only regretting that the balance on our side is very small, in this season of pressure, excitement and peril.

In the afternoon of Monday, the following was published—

At a meeting of the officers of the several banks of the city, convened at the Union bank of Maryland, in consequence of a notice received from the president of the Union bank of Maryland, to take into consideration the state of affairs arising from the closing of the business of the *bank of Maryland*, the following presidents and cashiers were present:

*William Lorman*, president of the bank of Baltimore.

*Philip Moore*, of the Franklin.

*Wm. Bohn*, of the Commercial and Farmers.

*Nicholas Brice*, of the Farmers and Merchants.

*Wm. H. Murray*, cashier of the Mechanics.

*J. Bier*, cashier of the Marine.

*William Lorman* was called to the chair, and *N. Brice* acted as secretary. Amongst other proceedings the following took place.

The president of the Union bank informed the meeting that the bank of Maryland had made a deed of trust, which they were prepared to deliver, conveying all the property of the bank to him in trust, for the general and equal benefit of its creditors—that he had not as yet read it, nor accepted it, and declined doing so without the advice and concurrence of the other banks interested in the distribution of the funds, and that this meeting was called to lay the subject before them for their direction concerning it.

It was then by the meeting, unanimously resolved by the presidents and cashiers present, that in their opinion it is advisable that *Mr. Ellicott* accept the deed of trust proposed by the president and directors of the *bank of Maryland*, and that they therefore unite in recommending him to do so. It being understood among other things of detail, that the different banks shall from time to time be informed of the progress of the trust, and that their several officers shall have free access to every information that they may require until its close.

And on Tuesday afternoon the following, addressed to the public by the president of the bank of Maryland, and to the editors of the newspapers by the trustee—both which had a cheering effect, especially the last:

TO THE PUBLIC.

In consequence of the extreme pressure upon the money market, and the unprecedentedly severe demands upon the *bank of Maryland*, I regret deeply, with my fellow citizens, that it has been compelled to stop its business.

The suspension has been sudden because it has occurred at the very first moment it appeared that the interest of the creditors of the bank required it—if efforts had been made to sustain the credit of the institution at the expense of heavy sacrifices of property, the result would have still been questionable, but the certainty of loss would have occurred. Under all circumstances, it has been deemed best by the soundest judgment to which we could have resort, to adopt the course which has been adopted, viz: to place in the hands of a suitable trustee, under the direction of the honorable *Stevenson Archer*, and the honorable *Thomas B. Dorsey*, or such person or persons as they may appoint, all the effects of the bank, to be kept together, collected and faithfully distributed among the creditors, as speedily as it can possibly be done.

My confident opinion is, that the bank is able to pay all its obligations, but to obviate any difficulty whatever, and to satisfy the holders of the notes and the special certificates of the bank, I hereby pledge my whole private estate, whether real, private, personal or mixed, to redeem any deficiency that the means of the bank may by any possibility be unable to redeem.

EVAN POULTNEY.

March 25, 1834.

for the redemption of its notes made payable at the bank of Maryland, and that these funds have been forwarded to Philadelphia. It is probable that arrangements will soon be made for their proper application in Baltimore.

You are requested to state in your paper, for the information of all parties who have notes or other securities deposited for collection in the *bank of Maryland*, that they will have the same returned to them on application to *R. Wilson*, esq. cashier, provided that such notes or securities have not been deposited as security, or the depositors thereof are not indebted to the bank on notes, bills, or other responsibilities which have become due or otherwise—such notes not being considered as any part of the assigned fund. THO. ELLICOTT, trustee.

It would be well, indeed, if the enemies of the bank of the United States would agree upon some course for that institution to pursue! In the first place, its ability to meet its engagements was doubted by the highest authority—and now, by the same party, its power to maintain itself subjects it to be called by many hard names. In the second, when, because the business of the country was large, and the general price of commodities high, requiring a greater sum in money to carry on the exchanges, it was charged with a design to corrupt the people by the liberality of its accommodations—and, though four or five years ago, as appears by the president's messages, the time had arrived when it should look to a closing of its concerns, it is abused for causing the present pressure on the people by the curtailment of its discounts. In the third, it is said that such curtailment is wantonly oppressive, and yet the sober fact is that the reduction does not exceed the reduction of its deposits. In the fourth, it is blamed for making money scarce, though its circulation has been increased about two millions, which is as if added to the specie of the country, to enable the state banks to pay their debts! In the fifth, it is imperiously said that it must and shall wind up its affairs, and then it is denounced for retirements from its discount line which have a less amount than the retirements from the line of its deposits. In the sixth, it is threatened, in "high places," with "runs" for payment of its issues, and abused, in the same, because it holds on to its coin to satisfy all reasonable or *unreasonable* demands upon it! So we might pass to the *fiftieth* place, and present similar contrasts. Will it please those in power to lay down some course for the bank to pursue, that the people may be relieved of an oppression which we really fear may make them "mad?" For the old proverb says—"oppression maketh a wise man mad."

Considerable political importance has lately been attached to the ward elections for constables in the city of Philadelphia. At that held last year 11 "Jackson" and 4 anti-Jackson men were chosen; but at that held on the 20th inst. 13 anti-Jackson and 2 Jackson men were chosen; and similar changes have been made in some of the adjoining districts. For instance, the Jackson candidates were defeated in each of the four wards of Spring Garden. It would be difficult to describe the excitement which prevails in Philadelphia and its neighborhood. It may, however, be partially esteemed from the fact that, by the lowest calculation, 25,000 men of the city and county assembled with banners, in Independence Square in the afternoon of the 20th instant, and passed certain resolutions, &c. some account of which must be recorded; but we *cannot* make room for it this week.

We have recently heard a great deal about "panic makers;" but gov. *Marcy*, of New York, in our humble opinion, has done more than any other person to make a panic—by his message to the legislature of the state on the 23d inst. which, we regret, *cannot* now be inserted.

After speaking of the "rapid curtailments" of the discounts of the bank of the United States, and manifesting much hostility towards that institution, and assigning, also, several other reasons for the pressure on the money market, and saying that the safety fund banks have reduced their circulation *three millions of dollars since the 1st of January last!* he proceeds to the consideration of other subjects, and proposes, as the best means of obtaining relief, the creation of a state stock of four or five millions, to be loaned to the state banks in the city of New York (for which he thinks money may be borrowed in Europe), that these banks may relieve the other banks of the state, &c. which the deposit and use of several millions of the canal fund, with the deposits of the U. States, has not been able to accomplish!

With a resort to the trial of *such* remedies, the prospect a-head is really awful.

It is now understood that the United States deposits in the *Girard bank*, at Philadelphia, will be given up. At a late meeting of the stockholders, the *noise* being on one side, some sober citizens thought, and the shouting ones believed, that the question was doubtful, if not decided according to the *uprightness* of the latter party; but the other side took sure and quiet means—they opened a paper, and invited subscribers; and it now appears that 17,500, out of the 30,000 shares, have been signed for, to give up the deposits; and it is well known, (say the Philadelphia papers), that several thousand shares are not available for uses of this kind—being held, perhaps, in distant places, or in Europe. It is added, that the officers of the bank approve the measure, though they have not taken any part in bringing it about. From this it appears that a very large majority of the stock is in the hands of persons opposed to the removal of the deposits, though placed in their own bank—as was the case in Virginia—and, perhaps, would be elsewhere, if the matter was fairly tested.

The Philadelphia Gazette asserts that 8,000 shares are held by persons in Europe, and 2,000 by the directors, and 20,000 by the citizens—so that of those who have acted on the present occasion *seven-eighths* are for giving up the deposits.

The official "Globe" of Monday, speaking of the Girard bank, says—"That bank ought, and no doubt will, in pursuance of its contract, be required to pay every dollar of deposit on hand the moment it refuses to receive the accruing revenue. Not the indulgence of a day, nor an hour, should be given to an institution which deserts the post it has voluntarily assumed," &c. and then suggests that the deposits may be removed to New York or Baltimore, or locked up in the vault of the custom house. *The spirit of this article is of a horrible kind.* An exercise of the right of opinion, and by those most interested, is to be followed by swift ruin, if possible, for *desertion!* Why was not the bank of VIRGINIA so threatened? But the agreement between the secretary of the treasury and the new deposit banks, left each party free to retire from the contract, at discretion, the secretary being required to give reasonable notice of *his* intention to remove the public money. "*Nous verrons!*"

In our congressional proceedings will be found a brief abstract of a speech of Mr. Clay, in the senate, on the 25th inst. respecting the *Union bank of Maryland*, in which Mr. Taney is a stockholder, &c. with a copy of a note published by the directors of the bank appended. Intending to present all such things fully, we think it right to add, that the "Globe" of the 27th has an article saying, that, for some time past, Mr. Taney had held, and held when the deposits were removed, "six or seven" thousand dollars of stock of this bank—that, on this account, he requested the *president* himself to select the deposit bank in Baltimore, saying "however" that he thought the capital of the bank of Maryland was too small to make it a suitable depository—that he has not bought or sold any bank stock since the removal of the deposits—that he never was a director in the Union bank, though once elected, without his knowledge—that no treasury draught has been given to the *Union bank* since October last, and that this bank had not asked the aid of the department to sustain it—that the secretary has never doubted, and does not now doubt, that the Union bank is perfectly able to sustain itself against any attempts that may be made against it.

In the same degree of fairness it is proper to observe, that it was commonly said and currently believed, that Mr. T. held 25,000 dollars worth in the stock of this bank, and that the aid spoken of had been afforded.

Since the preceding was written, we have seen the following in the "New York American" of the 26th, as an extract of a letter from Baltimore, speaking of the "bank of Maryland"—and also an article of the same purport in the Commercial Advertiser of the same date—

"This bank has been circulating vast numbers of its notes in the west; last week a draught from the west for \$150,000 was presented through the branch bank—the president, Poutney, asked one day. It was granted—an express was sent to Mr.

Secretary Taney, who drew on the branch for \$200,000, thus the draught on the Maryland bank was paid, and the other \$50,000 were deposited in the *pet* bank, the Union, which has done every thing in its power to sustain Poutney's bank, but all in vain, though aided by the government in the sum of \$150,000."

And the "Commercial" observes—"There are circumstances connected with the failure of the Bank of Maryland, which will require an immediate investigation by the senate. The bank of Maryland was latterly a political bank. Having extended itself, through the patronage of the government, it has at last met the consequences of a dependence on executive wisdom and interference with the currency," &c.

We [Register] had not before heard any thing of this transaction—but, if the facts stated are true, it will only shew that the likeness of the names of the bank of Maryland and of the Union bank of Maryland, has caused another mistake—the latter having been charged with making a loan of \$50,000 to Mr. Barry, P. M. G. which had been made by the former.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

March 21. After some other business—

Memorials were presented by the following members praying for the restoration of the deposits, &c. by Mr. Clay from upwards of 3,000 persons, clerks of mercantile men, and others engaged in trade, in the city of New York; also by the same from a large number of traders from ten different states on the valley of the Mississippi, who happened lately to be in Philadelphia, laying in their stock of goods for the season; five by Mr. Southard, one from three of the banks of New Jersey, and the others from the counties of Mountbath, Gloucester and Hurlingham; and three by Mr. Kent, from the banks of Frederick and Washington counties. All which were severally read, referred to the committee on finance and ordered to be printed.

Mr. Ering submitted the following resolution:  
*Resolved*, That the committee on the post office and post roads be instructed to examine and report upon the present condition of the post office department, and that they have power to send for persons and papers to take testimony for that purpose; and that the secretary of the senate shall, on application of the committee, appoint a clerk to attend them.

[This resolve lies on the table.]

The chair communicated a report from the state department shewing the number of American seamen registered up to the last quarter of the year 1833.

The senate then proceeded to the consideration of the order of the day, being the bill to continue for a limited time, the charter of the United States bank; when

Mr. Calthoun addressed the senate at large upon the questions brought into view by the bill. After he concluded, Mr. Benton addressed the senate, until near 4 o'clock, when, without concluding, having yielded the floor, the senate adjourned.

March 22. Mr. Poindexter presented the petition of John Cummings, of Ohio, praying to be relieved from losses sustained by him in consequence of a *fraud* committed by one of the United States land officers; which was referred to the committee on public lands.

Mr. Webster presented the proceedings of a large and respectable meeting of the citizens of Franklin county, Pennsylvania, also a memorial from the inhabitants of the same county signed by upwards of 1,800 voters, complaining of the distress caused by the experiment of the government, and asking a restoration of the deposits, &c. Mr. W. in presenting the above made some eloquent remarks descriptive of the character of the signers of the memorial, the productions of the county, and of their depreciated value, &c.; and amongst other things stated that it contained 10 or 12 forges; that there were upwards of 4,000 persons engaged in the manufacture of iron; that, in addition to these manufacturers, there were others engaged in paper making; that all had been compelled to disuiss or decrease their hands; that the agriculturists had also come in for their share of loss; that corn and rye could hardly be got rid of at Chambersburgh at any price; the loss on wheat, the great product of the county, was 30 cents per bushel; and that clover seed another great product, had fallen from \$6 to \$4 per bushel.

Mr. Forsyth presented the memorial of 300 citizens of Petersburg, Va. approving the removal of the deposits.

Mr. Leitch bore testimony to the respectability of many of the signers of the memorial, but doubted whether there were as many as 300 voters in Petersburg; he then presented the memorial of the citizens of Princess Anne county, Va.

Mr. Robbins presented two memorials against removing the deposits, one from Newport, the other from Smithfield, R. Island. The above proceedings and memorials were severally read, referred and ordered to be printed.

Mr. Ering reported a bill to settle the boundary line of the state of Ohio, which was read and ordered to a second reading.

"Nor as yet (Friday evening) have we heard the statement either affirmed or denied. We have, however, reasons to believe that the whole is a mistake, as to time and circumstances, at least.

The senate then proceeded to the order of the day, being the leave on Mr. Webster's bill for continuing the charter of the bank of the United States, when

Mr. Benton resumed his remarks, and concluded about a quarter past 3 o'clock; when

Mr. White rose and said he wished to express his sentiments on this question, and would do so then, or on Monday next as might be the pleasure of the senate.

Mr. Wright stated there was much business of an executive nature before the senate, and expressed a wish that the senator from Tennessee would defer his remarks till Monday. After some remarks by Messrs. Clay and Webster, on motion of Mr. Wright, the senate went into executive business; and after the doors were reopened, the senate adjourned.

March 24. Mr. Webster presented a memorial signed by 900 inhabitants of the town of Lynn, Mass. remonstrating against the removal of the deposits, and praying for their restoration to the bank of the United States. Mr. W. said that the town of Lynn was beautifully situated, is highly industrious, and had been hitherto prosperous and flourishing. With a population of 8,000 souls, its great business was the manufacture of shoes; that 3,000 persons, men, women and children, are engaged in this manufacture. They make and sell ordinarily, two millions of pairs of shoes a year, for which, at 75 cents per pair, they receive 1,500,000 dollars; that they consume half a million of dollars worth of leather, a large portion of which was procured at Philadelphia and Baltimore. The largest number of votes ever known to have been given in Lynn was 1,050, and 900 had signed the memorial. He stated that the manufacturers of Lynn sent their articles to every state in the union; for the proceeds of the sales they draw their bills on time, discount them and receive the cash. They had heretofore found no difficulty in cashing their bills at three fourths of one per cent. though drawn on the most distant places. But the executive government has broke up all this, and these manufacturers sell their bills now at a discount of three per cent., thus losing two dollars and a quarter in every hundred by losing the former facilities of exchange. In the present state of things, the manufacturers are unwilling to buy stock, and afraid to enter into any new engagements. They cannot therefore employ labor as formerly, and a state of confusion and embarrassment has consequently ensued. Three hundred hands have been dismissed from employment, since the date of the memorial, and others must be dismissed. "When (asked Mr. W.) will this foolish experiment be abandoned?" All men may commit errors, but wise men, and candid men, will retract them, so soon as they see them to be errors. They will not adhere to errors in spite of experience, and grow more obstinate and more angry, in proportion as that error becomes more and more manifest. The country, said Mr. W. must be saved; and the people must save it by compelling those who have adopted ruinous measures to retract their steps.

The memorial was then referred, and ordered to be printed. The chair presented the proceedings and resolutions of a meeting held in York county, Pa. approving the conduct of the executive in removing the deposits from the bank of the United States. The chair stated that this was a printed paper transmitted to him by the committee appointed by the meeting; that it was the same paper which had been presented to the senate some days since, with the exception of the preamble which had been expunged, and which the senate had refused to receive. The committee, (the chair said) had expressed their regrets that they were not authorised by the meeting to make any alterations in the proceedings; and the senate would, therefore, be left to decide whether the paper was proper to be received.

Mr. Clay inquired of the chair whether the paper was couched in respectful language, and such as was proper to be presented to the senate?

The chair would not undertake to decide that question. The reception of the paper was then opposed by Messrs. Clay, Webster, Calhoun, Poindexter, Ewing and Southard, and seconded by Messrs. King, Wright, Preston and Kane.

The ground on which the reception of the paper was resisted was, that it was incumbent on every person, under the rules which govern deliberative bodies, in presenting a paper, to state that its language was respectful, and such as might be received; and that the chair had expressly declined giving any statement as to the contents of this paper.

On motion of Mr. Frelinghuysen the paper was then laid on the table.

The senate resumed the consideration of Mr. Webster's bill to continue the charter of the bank of the U. States, when Mr. White, of Tennessee, addressed the senate until half past 5 o'clock, without coming to a conclusion, when he yielded the floor and the senate adjourned.

March 25. Mr. Mangum presented a memorial from the village of Wilkesboro, in the western part of the state of North Carolina, complaining of the violation of law and assumption of power by the executive, in the removal of the deposits. On the authority of a letter he stated that nine-tenths of the memorialists had recently been the friends of the administration and in favor of general Jackson.

He also presented a similar memorial from the citizens of Halifax county, North Carolina. Both memorials were read and referred.

Mr. Clay rose and said that he had heard, and he presumed that every member of the senate had heard, that yesterday the

bank of Maryland, situated in Baltimore, had stopped payment. He stated further, that he had heard, that, in consequence of a connection, supposed or actual, between that bank and the Union bank of Maryland, one of the banks selected by the treasury department as a depository of the public revenue, there was, yesterday, a run on the latter bank to obtain metallic currency for the paper in their hands. The connection between the two banks seemed so intimate, that great danger was apprehended as to the stability of the Union bank. He also stated that by the official returns made by the treasury department, it appeared that the secretary of the treasury was a stockholder to a considerable extent; that he had heard the stock held by the secretary in that institution constituted a considerable part of his property. He expressed a hope it would turn out that the Union bank was in a safe condition, and that there were no just grounds for the apprehension which existed as to its safety, and hoped it would also appear that the secretary of the treasury was not a stockholder in this bank to any extent which would authorise an impression that he had suffered his own interests to enter into the considerations which led him to select this bank as one of the depositories of the public money.

He had also heard this morning that a treasury draught or treasury draughts, to the amount of \$150,000, had, in the course of a few days, been furnished to the Union bank of Maryland, by the secretary of the treasury. He, therefore, considered it the official duty of the senate to inquire into the facts, whether there was any danger to the public interests in that institution. And to that end submitted the following resolution:

Resolved, That the secretary of the treasury be directed to report to the senate what amount of public money is now on deposit in the Union bank of Maryland, and on what account it was deposited; and whether any treasury draughts, contingent or other, have been, during the month of March, 1834, furnished to the said bank, to enable it to meet any demands which might be made upon it.\*

This motion to consider the resolution requiring the unanimous consent of the senate—

Mr. Forsyth objecting, it was laid over until to-morrow. Mr. Clayton presented certain resolutions of a large public meeting of silversmiths, watchmakers, jewellers, &c. of the city of Philadelphia, praying for the restoration of the deposits—which was read, referred and ordered to be printed.

The senate then took up the bill for the continuation of the Cumberland road in the states of Ohio, &c. as in committee of the whole, which, after being amended, was laid on the table.

The senate next proceeded to the consideration of the special order, being the leave asked by Mr. Webster to introduce his bill continuing the charter of the bank of the United States: when

Mr. White resumed his speech and concluded at 4 o'clock: when

Mr. Clay obtained the floor, but yielded to Mr. Webster, who rose and said, that he had seen with regret a disposition to enter into a wide debate upon the whole merits of the conduct of the administration, upon a mere motion for leave to bring in a bill; the effect of which course of proceeding would be, to put off the vote on Mr. Clay's resolutions. He could not concur in promoting that object, and as he had now answered his own purpose, which simply was to present a specific measure for the consideration of congress and the country, he should move to lay it upon the table, that Mr. Clay's resolutions might be acted on, and accordingly moved that his motion

\*The Union bank, on the 26th inst. after quoting Mr. Clay's speech, of which the preceding is a brief abstract, issued the following notice:

"There is no foundation whatever for the rumor that any other connection has ever existed between the bank of Maryland and the Union bank of Maryland, than has existed between the Union bank of Maryland and other banks in the city of Baltimore.

"It is not a fact that, in consequence of any (supposed) connection between the Union bank of Maryland and the bank of Maryland, a treasury draught or treasury draughts to the amount of \$150,000 (or for any other amount), have, in the course of the last few days, been furnished to the Union bank of Maryland, by the secretary of the treasury? No such draughts having been received since October last. Nor has there been any occasion for such funds; the means of the Union bank being amply sufficient to discharge all the claims against it, as they may be demanded.

"The board feel reluctant thus to appear before the public; but find themselves compelled to do so, by a sense of duty to the stockholders, at a time when unfounded rumors are in circulation, in prejudice of the institution.

(Signed)

THOS. ELLICOTT, president.  
LUKE TIERNAN,  
HENRY PAYSON,  
WILLIAM E. MAYHEW,  
JAMES CAMPBELL,  
JOHN H. B. LATROBE,  
JOHN Q. HEVLETT,  
DAVID M. PERINE,  
ISAAC TYSON,  
THOMAS A. NORRIS,  
WILLIAM F. MURDOCH."

or leave be laid on the table, giving notice that he should again call it up on the first Monday in May.

Mr. Forsyth asked for the yeas and nays; which were ordered; and the question was taken and decided as follows:

YEAS—Messrs. Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, King, of Geo. Mangum, Moore, Nau-dain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Waggaman, Webster—24.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Morris, Robinson, Shepley, Tallmadge, Tip-ton, White, Wilkins, Wright—15.

So the motion was laid on the table.

Mr. Clay then asked if the senator from N. York, Mr. Wright, desired to say any thing on the subject of his resolutions, if not that he should say a word or two in reply to those who had spoken.

Mr. Wright answering in the affirmative, the senate adjourned.

March 26. Mr. Southard presented the proceedings of a meeting of 5,000 young men of Philadelphia, opposed to the course of the secretary of the treasury in removing the deposits.

Mr. Preston presented the proceedings of 4,627 young men of the same place, in favor of the restoration of the deposits.

The special order of the day, being the report of the committee on finance on Mr. Clay's resolution upon the removal of the deposits, was then taken up, and

Mr. Wright rose and spoke at large, sustaining the secretary. When he had concluded,

Mr. Clay obtained the floor, and intimated that if it was the wish of any gentleman to address the senate, he would yield the privilege. No senator rising, Mr. Clay moved an adjournment, but gave way to Mr. Poindexter, upon whose motion the senate went into executive business; and after some time spent therein adjourned.

March 27. Mr. King, of Geo. presented a memorial signed by about 400 persons, citizens of Augusta, Georgia, praying for the restoration of the deposits to, and for the recharter of, the bank of the United States.

Mr. Clay presented a similar memorial from the citizens of Lexington and the county of Fayette, Kentucky, signed by upwards of 1,200 persons.

Mr. Clay, in presenting the memorial, said, that the memorialists were composed of numbers of his friends and neighbors; some of whom he had known for forty years—by individuals embracing all the various callings of life, mechanics, manufacturers, farmers, merchants, and the great body of men of business of those places.

It was true that the memorialists did not speak of any great present pressure in their portion of the country; they spoke of the approach of great distress, and expressed their apprehensions that it would increase.

After paying them an eloquent compliment, he said they had their apprehensions excited by what they deemed an assault on the constitution and laws of the country. If, said he, there be a spot in the union likely to be exempt from the calamities that had afflicted the others, it would be that region about Lexington and its immediate neighborhood. Nowhere, to no other country, has Providence been more bountiful in its gifts. He stated that it yielded from 60 to 70 bushels of corn to the acre; but there were 6,000 fat bullocks remaining unsold because the butchers could not obtain the usual facilities from the banks to purchase—thus \$100,000 worth of this species of property remained on hand.

The above memorials were read, referred and ordered to be printed.

Mr. Webster gave notice that he would call up his bill extending the charter of the bank of the United States, on the 21st of April.

Mr. Wilkins presented the proceedings and resolutions of a meeting of citizens of the town and county of Beaver, Pennsylvania, praying for a recharter of the bank, with certain modifications, for a restoration of the deposits, and disapproving of the late message of governor Wolf, commending the conduct of Mr. Duane, and censuring that of Messrs. Wilkins and McKean.

Mr. Wilkins said it gave him pleasure to present these proceedings, though they rapt him and his colleague over the knuckles, and though he dissented from their opinions.

The proceedings were referred and ordered to be printed. Mr. Wilkins, reported the army appropriation bill without amendment.

The senate then proceeded to the consideration of the report of the committee on finance on Mr. Clay's resolutions, when Mr. Clay arose and addressed the senate, and, after speaking two hours without concluding his remarks, he gave way to a motion that that effect, and the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, March 21. Various bills of a private nature being reported and disposed of.

The bill to continue the Cumberland road from the Mississippi river to Jefferson, in the state of Missouri, and the bill to continue the same road from Vandalia, in Illinois, to the Mississippi river, were read, respectively, and referred to the committee of the whole house on the state of the union.

The resolution of Mr. Mardis was further discussed by Mr. Burges, until the expiration of the hour, and then the considera-

tion of the report of the committee of ways and means, &c. was taken up.

Mr. Gilmer, of Geo. then addressed the house in opposition to a restoration of the deposits, and concluded at half past 2 o'clock, when no motion of Mr. Clay, the house adjourned.

Saturday, March 22. Motions were respectively made to suspend the rules of the house to take up certain bills, which failed, or were withdrawn.

The bill to return the duties on certain pieces of sculpture, the capitals of the columns of the exchange at Philadelphia, was then read the third time, and rejected by a vote of yeas 45, nays 135; and the house adjourned.

Monday, March 24. The order of the morning being the consideration of the Virginia resolutions, the house took up the same, when, Mr. Pinckney, who had the floor, being absent, the resolutions were laid on the table and ordered to be printed.

The chair then resumed the call of the states for the presentation of petitions and memorials; when

Memorials, petitions, proceedings of meetings, &c. were presented in favor of the restoration of the deposits and the recharter of the bank; by the following persons—by Mr. Hard from citizens of New York; by Mr. Selden from 600 citizens of Brooklyn, New York; by Mr. Fildmore from the citizens of Buffalo, New York; by Mr. Skinn from the president and directors of the state bank of Camden, the Cumberland bank of Bridgeport, and the Farmers bank of N. Jersey; and from the citizens of Gloucester county, and another county, in New Jersey; by Mr. Lee from a meeting of the citizens of Cumberland county, New Jersey; by Mr. Wagener from citizens of Northampton county, Pennsylvania; by Mr. Miller from citizens of Cumberland county, Pennsylvania; thirteen memorials by Mr. Heister from about 750 [additional] citizens of Lancaster county; by Mr. Chambers from a meeting of the citizens of Franklin county, Pennsylvania; from the inhabitants of the township of Washington in the same county, also from other inhabitants of the county, signed in all by upwards of 1,800 voters; by Mr. Binney from a meeting of building mechanics of the city and county of Philadelphia; by the same from a meeting of tin-plate workers, sheet iron workers and coppersmiths of the city of Philadelphia; by the same from a meeting of cabinet makers, piano forte makers, chair makers, upholsters, fancy finishers, fringe makers, carvers, gilders, varnishers, turners, lamp makers, coach makers, and others engaged in furnishing materials and labor connected with these arts, in the city and county of Philadelphia; by the same from authors, editors, booksellers, publishers, printers, book binders, paper makers, paper dealers, stationers, engravers, copper plate printers, type and stereotype foundry, printing press makers, and ink manufacturers, in the city of Philadelphia; by the same, the proceedings of a meeting of young men of the city and county of Philadelphia; by Mr. Banks from a meeting of inhabitants of the county of Beaver, in the state of Pennsylvania, by Mr. Henry King from farmers, iron masters, storekeepers, mechanics and others, residing in the lower part of the county of Schuylkill, Pennsylvania; by Mr. Wadnough from a meeting of citizens of Oxford, Lower Dublin, Byberry, Morand and unincorporated Northern Liberties of the county of Philadelphia; by the same from a meeting of the citizens of the third congressional district of Pennsylvania; by the same from another meeting of citizens of the same district. Mr. Wadnough presented, also, a memorial of citizens of the third congressional district in the state of Pennsylvania, complaining of a misrepresentation attending the presentation to the house, on the 3d of March, instant, of a memorial from certain citizens of said third congressional district, as to the number of signers, and representing that many hundred of said signatures were duplicates. The said memorials, so presented on the 3d, though stated by Mr. Sutherland to contain 4,000 signatures, upon strict examination were found to have but 1,497 names in all; of which, 467 were duplicates. So that the real number of signers, instead of being, as alleged, 4,000 was, in reality, but 1,050. Mr. W. laid a synopsis of these signatures before the house, and moved for its printing, together with the memorial he presented. Mr. Sutherland, having obtained leave to reply, gave the authority on which he had made his former statement, but admitted that there must have been some mistake. The duplicate signatures he accounted for from different copies of the memorial having been circulated, and the signatures to each, by accident, put together. To show how easily this might occur, he referred to about ninety names in the memorial presented some days since by Mr. Binney, which were to be found in similar succession in two different portions of the roll of signatures. Some further explanations took place, which we do not undertake to give in detail, but which resulted in a request from Mr. Binney that Mr. Sutherland would send to the clerk an exact list of the names he had referred to, as Mr. Wadnough had done in reference to the memorial presented by Mr. Sutherland. By Mr. Anthony, two memorials from Lycoming county, Pennsylvania; by Mr. Harper from a meeting of silver smiths, watch makers and jewelers of the city and county of Philadelphia; by Mr. Stewart the memorial of inhabitants of Brownsville and vicinity, in Pennsylvania; by Mr. Gaultcraft from inhabitants of Crawford county, Pennsylvania; by Mr. Barnitz, (a protest from 70 citizens of York county, against the proceedings of a meeting held on the 4th March); by Mr. Wise from citizens of Northampton county, Virginia; by the same from citizens of Accomac county, Virginia; by Mr. Mason from merchants, manufacturers, mechanics and other citizens of the town of Peterburgh, Virginia; by Mr. Loyall from

inhabitants of Princess Anne county, Virginia; by Mr. *Patton* from inhabitants of the towns of Fredericksburgh and Falmouth, Virginia; by Mr. *Cage* from inhabitants of Wilkinson county, Mississippi; by the same from inhabitants of Adams county, Mississippi.

All the above memorials, proceedings, &c. were read, referred to the committee of ways and means and ordered to be printed, with the exception of the one presented by Mr. *Barnitz* from York county, Pa. which was ordered to be printed and laid on the table, and those by Mr. *Cage*, from Mississippi, which were simply presented and not disposed of.

Memorials, petitions and resolutions against a restoration of the public deposits to the bank of the U. States, and against a renewal of the charter of said bank, were presented as follows, viz:

By Mr. *Page* from inhabitants of the county of Otsego, New York; by Mr. *McVean* from a meeting of inhabitants of the county of Montgomery, New York; by Mr. *Dickerson* from manufacturers, mechanics, merchants and farmers of Paterson and its vicinity, New Jersey; by Mr. *Lee* from a meeting of citizens of Cumberland county, New Jersey; by Mr. *Miller* from a meeting of citizens of Carlisle and vicinity, Pa.; by Mr. *Sutherland* from citizens of unincorporated Penn township, Pa; by the same from a meeting of citizens of Philadelphia; by Mr. *Galbraith* from inhabitants of Crawford county, Va.; by Mr. *Mason* from inhabitants of the town of Petersburg, Va.; by Mr. *Wise* from a meeting of inhabitants of Matthews county, Va.; by Mr. *Lytle* from a convention of inhabitants of Hamilton county, Ohio; by Mr. *Leacell* two memorials from inhabitants of the state of Ohio; by Mr. *Parker* sundry resolutions adopted by the general assembly of New Jersey adhering to the resolutions passed by them on the 11th January last; by Mr. *Barnitz* certain resolutions passed at a meeting held in York, Pa.

All the above memorials, &c. were read, referred to the committee of ways and means and ordered to be printed, except the last which was ordered to be printed and laid on the table.

Mr. *Peyton*, of Va. moved a resolution calling upon the secretary of war for all the correspondence since March 4, 1829, relative to a removal or change of the pension office from the bank of the United States, and its several branches, to any of the local banks.

After attending to various other matters connected with post routes, or of a private and personal character, there being but forty-seven members present, the house adjourned.

**Tuesday, March 25.** Mr. *Chinn* reported a bill to complete the improvement of Pennsylvania avenue.

Mr. *Ashley*, of Missouri, having obtained leave, presented a memorial from certain merchants, citizens of the western states, convened at Philadelphia, praying for a restoration of the deposits and a recharter of the bank.

Mr. *Burges*, who had the floor on Mr. *Mardis'* resolution on the subject of the deposits, waived his right, in order that the states might be called for memorials and petitions.

The house having granted leave,

The chair resumed the call of the states, commencing with Mississippi.

Mr. *Cage* moved that the resolutions which he presented yesterday from certain citizens of Mississippi be laid on the table and be printed.

Mr. *Plummer* asked leave to address the house, in order to express his dissent to the doctrines of the resolutions.

Mr. *Cage* withdrew his motion to lay them on the table, when Mr. *Plummer* moved to commit the resolutions to the committee of ways and means, with instructions to report adversely to the prayer thereof; but the resolutions having, by mistake, been sent to the printer, the motion of Mr. P. was laid over until the next petition day.

The chair laid before the house a letter from Lieut. Levy, of the navy, presenting to the U. States a colossal bronze statue of Mr. Jefferson, which on motion of Mr. *Fulton*, of Va. was referred to the committee on the library, and ordered to be printed.

The house then took up the order of the day, being the consideration of the report of the committee of ways and means on the subject of the removal of the deposits, when

Mr. *Clay*, of Ala. took the floor and spoke till 3 o'clock, and then, on motion of Mr. *Schley*, of Geo. the house adjourned.

**Wednesday, March 26.** The resolution submitted by Mr. *Mardis*, of Ala. relative to the public deposits was taken up, and

Mr. *Burges* resumed and concluded his remarks on the subject, when

Mr. *Chilton Allan* obtained the floor.

At one o'clock the house proceeded to the consideration of the resolutions reported by the committee of ways and means, &c.

Mr. *Schley*, of Geo. took the floor and addressed the house in support of the secretary. When Mr. S. concluded,

Mr. *Ellsworth* obtained the floor, and moved that the house adjourn, which motion was negative; but the motion to adjourn being renewed by Mr. *McComes*, after some explanations, the house adjourned.

**Thursday, March 27.** The resolution of Mr. *Mardis* on the subject of the public deposits was taken up, when

Mr. *Chilton Allan* addressed the house, in opposition thereto, until the hour expired without concluding, when

The house resumed the consideration of the report of the committee of ways and means, and

Mr. *Ellsworth*, of Conn. took the floor and spoke in opposition to the secretary of the treasury's reasons until past 3 o'clock, and having concluded,

Mr. *Choate* obtained the floor, and the house adjourned.

#### THE BALTIMORE COMMITTEE AND MR. McKIM.

The delegation appointed to visit the city of Washington, to present the memorial of the citizens of Baltimore, in favor of the restoration of the deposits, who made their report at the meeting in Monument square on the 5th instant, have found themselves compelled to appear again before the public, in answer to an attempt that has been made by the secretary of the treasury and one of the representatives from the city of Baltimore, to discredit the statements contained in the report referred to.

The delegation, consisting of individuals who have never coveted the honors of political preferment, who have for the most part but little mingled in the strifes and contentions which have unfortunately so much agitated our country, and whose lives have been engrossed in pursuits that left them small leisure and less desire for public affairs, were not prepared to expect that the duties they had reluctantly assumed, in visiting Washington, were to be subjected to such harsh imputations, as would put the delegation upon the necessity of vindicating, before their fellow citizens, their personal veracity and honor. In the excited state of the times, they had, it is true, good reason to believe that party exasperation would supply much severe comment upon the motives of the memorialists and upon the conduct of the delegation; and as citizens charged with an important trust, they were willing to abide the spleen of those who might be offended. But they did not suppose that facts, solemnly asserted under the extreme, however, they have already encountered from various quarters, in forms so authoritative as to compel them in their own defence, to throw themselves before their fellow townsmen, with such a statement as they hope will, amongst all who are acquainted with the delegation, leave the question of fact, at least, beyond controversy.

The unusual circumstance of appointing a special delegation to visit the seat of government in order to present the memorial, indicated the deep and momentous concern which the citizens of Baltimore felt in the past and in the pending measures of the government. The memorial itself expressed the language of extraordinary present distress and of anxious fear for the future welfare of the nation. In every quarter the disturbed and dismayed condition of the people, the frequency of public meetings, the intensity of the public discussions, and the sad forebodings which the wisest and best men in the nation had openly expressed, showed, too clearly to be mistaken, that great interests were at hazard—interests that involved something more than the personal calamities of individuals, and related to the permanency and integrity of our government. In such a state of things, the delegation were selected to proceed to the city of Washington. It was their duty, as they understood it, not only to present the memorial with which they were charged, but, also, to ascertain, as accurately as their inquiries might enable them, what were the sentiments of the prevailing party, both in and out of congress, in reference to the increasing distress of the times, and what were the hopes of change. In this interpretation of the purposes of their mission they could not neglect the obvious duty of holding communication, not only with members of both houses of congress, but, also, with such portions of the executive, as might be supposed to be able to communicate the authentic views of that party in whose hands, alone, the power to redress the people resided. They felt that, as American citizens, representing a large and respectable portion of the constituent body, they had a right to this information: that the genius of our government defied the concealment of the principles by which the public functionaries were regulated; and that as the halls of congress were open to petition, so should the executive department be open to the access of every citizen who respectfully approached it to make known the actual state of the country, and the influence of the public measures upon the welfare of the people. With this persuasion the delegation felt no delicacy in holding an interview with the president and his secretary of the treasury; and having done so, they reported the result of these interviews to their fellow citizens, as accurately as they are able to recollect them. And here they take leave to observe, that they do not recognize the doctrine that any public functionary, in this country, can, consistently with the principles of our government, claim to consider his communications to a committee of the people, in matters relating to great and important public measures, in the light of confidential disclosures, which they are not at liberty again to repeat—and more particularly is this remark applicable to the representatives of the people, in their relation with their own constituents. Ours is a government which professes to move in the light of public scrutiny. To comment upon the principles of those who administer it, whether in or out of congress, is a boasted prerogative of the people; and if the representative entertain doctrines, or is governed by motives of which his constituents are ignorant, the concealment of them is unworthy of his station. If by he of evil tendency, he is not fit for his place—if they be good, there can be no private reason to withhold them.

With these preliminary remarks, the delegation proceed to examine a letter, addressed by the honorable Roger B. Taney,

secretary of the treasury, to Upon S. Health, esq. of this city, dated the 10th instant, and lately published in the newspapers of this city; an answer to which, it is proper to say, would have been sooner laid before the public, but for the absence of two of the delegation from the city.

Mr. Taney, from the particularity with which he remarks, that four of the gentlemen of the delegation were not present at the interview with him, seems to infer that the report had conveyed a different impression to the public; but it will be seen, by reference to the report itself, that the statement there given is, that "a part of the delegation" only called upon him. He complains that, in the conversation to which he was invited by Mr. Brown, one of the four who visited him, he had no reason to expect that it was designed for publication. He then proceeds to detail the substance of the conversation which he held with Mr. Brown, and with Messrs. Crawford and Gaither, having previously remarked that Mr. Patterson did not come into the room until near the close of the interview.

That part of the conversation, as detailed by the secretary, in which he asserts that Mr. Brown expressed himself opposed to the restoration of the deposits, the latter gentleman has undertaken to answer for himself, and expressly denies, (what would seem to be sufficiently incompatible in itself,) that he who went to Washington to ask for a restoration of the deposits, should have declared himself opposed to such a measure. The contradiction may be reconciled by adverting to the fact stated by Mr. Brown in his separate publication, namely, that his opinion was, that the *future deposits* should be made in the United States bank, an opinion which the secretary's statement does not controvert, and which may be assumed to be the common wish of the great mass of the people of the U. States, who are at present petitioning for their restoration. The fact also that Mr. Brown desired to see the charter of the bank modified, or a new bank erected in its place, is conformable to the known sentiments of that gentleman, though a matter of no interest to the mission upon which the delegation proceeded to Washington. It is a fact, however, which may serve to show that the measure of restoring the deposits is not so insupportably concerted in the minds of the people with the renewal of the present bank charter, as the public have been taught at Washington to believe.

Thus disposing of such part of the secretary's letter, as refers to Mr. Brown, the delegation cannot perceive much difference between the statements of Mr. Taney and those given in the report; and it will perhaps relieve the secretary from his suspicion that the confidence invited by Mr. Brown, has been violated, when the delegation assure the public that they have reported nothing that was not uttered after Mr. Patterson came into the room. The object of the delegation was in no respect unfriendly to Mr. Taney, nor did they seek to cast a censure upon him, nor expose him, in any degree to public animadversion. His sentiments had been already given in an official form to the nation, and had been so largely canvassed that no one could be supposed to be ignorant of them. It was, therefore, not a subject of their concern, to repeat Mr. Taney's views as declared to Mr. Brown, in regard to his conceptions of the danger and abuses of the powers of the bank. The principal object of their visit to the secretary was to communicate to him their own knowledge of the public distress, of their conviction of the source from which it sprang, and to learn from him whether, with the evidences before his eyes of the unpredicted and fatal consequences of his own error of policy, this department of the executive still adhered to the determination of maintaining the unfortunate position it had previously assumed. His answer to this communication was all that it interested the signers to know, and it was to this point, accordingly, that they directed their attention. Mr. Taney was informed, by the chairman of the delegation, in what capacity they visited him, and they cannot but feel surprised that the secretary should have supposed that an answer so pregnant of interest to the nation should not be duly and faithfully reported. They have so reported it. Mr. Taney had spoken to them of the experiment—although his letter does not admit this phrase—and had said that it would be continued regardless of the present difficulties; upon which Mr. Patterson, conceiving this to be the great and paramount question before the people, addressed the remark to the secretary—"Sir, if this experiment should be persisted in; and some relief—such as we do not now anticipate—should not be given, a large portion of the trading community must fail." The secretary's reply was—"If all did fail the policy of the government would not be changed." To the verbal accuracy of this language, on both sides, the gentlemen of the committee present, now, after mature deliberation, give their most solemn declaration. And they beg again to repeat that all that is contained in their report was, in substance, communicated to them by Mr. Taney, at that stage of the conference at which Mr. Patterson was present—this gentleman now affirming to his recollection of all therein contained.

In making this communication, the delegation think the citizens of Baltimore will perceive that there is no substantial difference between their report, and the admitted views of Mr. Taney, as declared by himself—although the secretary has somewhat softened the import of the language used by him. He still, however, does not deny that he may have used the exact expressions imputed to him by the delegation—and with this explanation the delegation are willing to dismiss the subject; taking the occasion at the same time, to protest that they never supposed they were violating a private confidence, in reporting

what they heard—and also, to assure Mr. Taney that they approached him and left him with sentiments of private respect unchanged by the interview—regarding the communication he had made to them, as the deliberate and approved course of the executive, guided, doubtless, by its own sense of the public good, and of the importance of its policy.

The delegation proceed to consider the letter addressed by Isaac McKim, esq. to the citizens of the fifth congressional district, dated on the 15th instant.

This letter, they are sorry to remark, indicates a degree of temper on the part of the writer, that has led him into imputations upon the delegation, which, perhaps, in a cooler moment, he will regret. The duty of a representative to submit to a scrutiny of his public character, conveys an obligation too vital to the liberty of the people, to justify the exhibition of resentment against any constituent who demands the inquiry. The representative is entitled to personal respect—to fair examination—and to impartial judgment—he is entitled to be protected, as in this community he most assuredly would be, against false accusations and misapprehension;—but he is not entitled to the veil of secrecy to cover his opinions, or screen his acts from public review. The people—and, especially, in times when it is important that their voice should be truly heard in the public councils—have a right to inquire, and to speak; and commensurate with their right to inquire, is it the representative's duty to submit to the investigation.

The delegation make these observations, because, in the part they have had to perform, it has been their misfortune to hear from Mr. McKim, the imputation of a design to bring in the enjoyment of social relations with that gentleman, which has won from them their private regard, and that it is doing violence to their personal sentiments, when Mr. McKim attributes to them any other motive or impulse, in making their report, than those which strictly belong to their regard for truth, and to their sense of duty to the citizens, by whom they were deputed to visit the seat of government. Their veracity, however, having been most unaccountably challenged by Mr. McKim, they feel no hesitation in encountering his letter with a statement which they feel assured the citizens of Baltimore will not discredit—and, in the beginning, they earnestly reaffirm the entire and scrupulous truth of the statement heretofore submitted to the public.

Before the delegation enter upon the examination of Mr. McKim's letter, they will pause to dispose of one objection which, from the phraseology used by him, would seem to imply an exception to the right of the signers of the memorial to expect from him either accountability to them as a representative, or his aid in presenting the memorial to congress. His letter is addressed to the citizens of "the fifth congressional district," including a portion only of the citizens of Baltimore; and he speaks of being "wantonly assailed by a committee opposed to the present administration of the government, deputed, in great part, from a neighboring congressional district, and that a public meeting convened without the limits of his district." It is scarcely necessary to say more to this objection, than that a very respectable number of his own immediate constituents had signed the memorial, and that two of them, Captains Graham and Mr. Hubbard, (the latter of whom was protected by his engagements in the city council from accompanying his colleagues), were appointed on the delegation. To this fact may be added, Mr. McKim's notification to the delegation that he was expected to present the counter memorial—and that he did subsequently present it, although that memorial was also signed, in great part, by citizens of "the neighboring district;" and the meeting of its signers was also convened out of the limits of Mr. McKim's district: a fact that at once refutes the sincerity of the objection intimated above. The delegation now purpose to examine the statements contained in Mr. McKim's letter.

By that document it will be perceived that Mr. McKim's interviews with the members of the delegation, are described as having taken place, first in his own parlor, and secondly, in the parlor of the delegation. The individuals of the delegation present at his own parlor interviews are stated by him to be Mr. Howell, on the night of the 10th, and Messrs. Birkhead and Graham separately on the morning of the 11th. By the same statement, his visit to the delegation in their own room took place on the night of the 11th and lasted about an hour, he says the person there present were Mr. Crawford, Mr. Patterson, Capt. Graham, Mr. Brown, Mr. Gaither and Mr. Slaw. To the two last of which gentlemen he was then introduced. The delegation will add, what Mr. McKim has forgotten, that Mr. Birkhead was also present and conversed with him some time, and that the visit of Mr. McKim lasted for upwards of two hours.

From the long detail contained in Mr. McKim's letter of the conferences held by him in his own parlor, with the members of the delegation who were his personal friends; from the frequent stress which is laid upon the proffered hospitality of his table; from his announcement that these interviews were in the presence of his family; from the emphasis with which he insists that he may be excused from relating the conversation that passed at dinner; and, above all, from the tenor of his concluding remarks, insinuating the private and confidential character of these disclosures, and his aversion to the "moral and social code" of the delegation—from all these circumstances, the inference intended to be raised by Mr. McKim is too plain to escape notice. They are all directed to convey to the public

one conclusion—namely, that the gentlemen referred to approached him under the mask of friendship, artfully insinuating themselves into the secrets of his bosom, and whilst accepting the hospitality of his table, or the privileges of his family sanctuary, were conspiring to betray him, by the promulgation of falsehoods to the public. It will be seen before this reply is concluded, with what propriety these insinuations are thrown out.

Mr. McKim purports to give what he calls the "history" of what took place between himself and the delegation—meaning, of course, (as, in such circumstances, it was his duty to give), a faithful narrative of every thing that he could remember. It is upon this narrative that he invokes the public judgment; and, in the beginning of his letter, confesses that if the report of the delegation be true he is "unfit to be the representative of a free and enlightened people." It is upon this issue that the delegation now present themselves to the public.

The delegation take this occasion earnestly to remark, that, in the report made by them to the citizens of Baltimore, they have not stated one word, nor referred, by the remotest allusion, to one expression used by Mr. McKim any where but in their own room. Mr. Howell, who visited Mr. McKim in his parlor, was not requested to make that visit, nor was he commissioned to speak the sentiments of the delegation. No report was made by Mr. Howell to the rest of the delegation, except a casual remark, importing that Mr. McKim did not wish to present the memorial—a remark that was not repeated in the report. His visit was regarded by the delegation as entirely private, and he did not feel himself at liberty to detail, especially for the public ear, any thing that was there uttered by Mr. McKim.

It is true that Capt. Graham, being Mr. McKim's immediate constituent, was deputed with Mr. Birehead to call on Mr. McKim, on the morning of the 11th, and inform him that the delegation had arrived; but nothing that passed between these gentlemen and the representative was incorporated into the report. Indeed, so great has been the reluctance of the delegation to say any thing of Mr. McKim's opinions, except as they referred to the immediate subject of their mission, that they have in their report scrupulously omitted many particulars which, although properly subject to public remark, were of such a nature as to indicate a want of due reflection on his part, and for that reason alone were withheld from the report.

With this statement it cannot but be seen how very unjust is the attempt of Mr. McKim to enlist the public sympathy in his favor, by endeavoring to cast upon the delegation the implied offence of violating the confidence of his friends. He has, however, in his letter, broken this seal of confidence, and published to the world for the first time, the conversation he had held with Mr. Howell. As this conversation is now referred to, somewhat in the light of an official answer to an official communication—a character which Mr. Howell certainly never gave it, it is proper to say that it is in general a true statement, except that Mr. McKim (according to Mr. Howell's recollection), instead of saying that "he would risk his life and fortune rather than betray the trust which his constituents had delegated to him"—remarked that he would encounter this risk "rather than abandon the course of the administration"—a remark which he reiterated in the room of the delegation. The delegation repeat that no part of this conversation ever entered into the report.

From Mr. McKim's "history" of the case, it would seem that the only occasion on which he had any conversation with any members of the delegation regarding the immediate object of their visit to Washington, was in his own parlor; since he declares that when he visited the delegation in their room on the night of the 11th, (where he remained, according to his own statement, an hour, and, according to that of the delegation, upwards of two hours) he had only a general conversation about the state of the money market, the bank and the pressure—but not a word, that he can remember, "about presenting the memorial." If this be correct, it is a little strange that Mr. McKim should consider the communication he had in his own parlor relating to the presentation of the memorial, confidential, since it is, according to his own testimony, the only occasion on which the subject was opened to him by any member of the delegation. Mr. McKim, however, the delegation affirm, is altogether in mistake—and as his "history" is written to enable the public to decide the important issue which he himself has tendered, it might naturally be expected that a little more particularity should have been indulged as regards the conversations and events of this visit.

As it was at this visit to the delegation in their own parlor, that Mr. McKim expressed himself in the language ascribed to him in the report, the delegation feel themselves authorised to refer to so much of the conversation that passed there, as may be necessary to recall to Mr. McKim, more explicitly than they have heretofore done, the subjects that were then brought into discussion. And as Mr. McKim is not only silent in his letter as to what passed on this occasion, but also expressly negatives the statement heretofore made by the delegation, they take the opportunity to reaffirm, in the most impressive language, the perfect truth of that statement, and to declare that all there reported and much more, was uttered by Mr. McKim at this visit; and consequently that the visit was not of so informal and unimportant a character as the letter would leave the public to suppose.

When Mr. McKim entered the room of the delegation, he inquired for the chairman. It is true, as Mr. McKim states, that

the chairman did not introduce the subject of presenting the memorial—because, from what Mr. Howell had intimated the night before, the delegation were led to believe that Mr. McKim did not wish to present it. But Mr. McKim himself introduced the subject, and gave the reasons for not presenting the memorial already detailed in the report. It may assist his memory to recall this circumstance, so strenuously denied by him, to refer to a fact, the announcement of which particularly struck the attention of the members of the delegation to whom it was addressed: Mr. McKim stated to the chairman, amongst other reasons for not presenting the memorial—that it was the custom, on such occasions to make a long speech—that this would be expected of him by the delegation, and therefore he would have to make one, which he could do, but he had been advised not to make speeches, because it would hurt his influence in the house. He further remarked, as an additional reason, that he would be called on to present the counter memorial, which he expected in a few days; and he said other things bearing on the same subject, which the delegation do not choose to repeat, being too confident in their own recollections, to allow themselves an instant of doubt as to the accuracy of their statement.

Mr. McKim has, by his silence, also denied his opposition to the policy of the removal of the deposits. The delegation, in addition to the statement in their report, say, that Mr. McKim had his attention drawn to this subject, when he candidly avowed his opposition to the measure, and said that he had written letters against it, which were read in the cabinet; and, moreover, that in Baltimore, he had urged Amos Kendall not to do it—at all events, until after his election. These remarks were followed by his declarations relating to his influence with the executive, as detailed in the report; and also of his own knowledge of the distress existing in Baltimore, which, he said, he had not made known, as he thought it might injure the city—illustrating his remark, at the same time, with a proverb which it is not necessary to repeat—and declaring, as a further reason, that he was not going to admit the distress to the Yankee members of congress. His expression, at this interview, in regard to Mr. Bibb, of which, "for the present, he contents himself with a positive denial"—the delegation now emphatically reassert, as made by him, on this occasion, to Mr. Patterson and the chairman Mr. Crawford.

These remarks were made by Mr. McKim during the interview, to portions of the delegation, as the conversation respecting the objects of the mission led to these topics; and although not all heard by each member of the delegation, yet they were sufficiently general to remove any pretext for the supposition that they were intended to be confidential, or to express any other than the public sentiments and opinions of the representatives, and too explicitly declared to admit of the possibility of misapprehension.

The delegation regret that they should be put so distinctly upon the defence of their own veracity, as to make it necessary to repeat assertions heretofore given to the world under their own hands. But they trust their fellow citizens will perceive that no alternative was left them but to take up the issue presented to them by Mr. McKim. In doing so, they have exhibited the case so strongly as, for the present, it is necessary to do. They have shown that Mr. Kim is entirely mistaken, in supposing any confidence of private friendship has been violated, that the interview with him was upon his own call, in the parlor of the delegation, and that he has not given in his letter any particulars of the conversation which occurred there, whilst he has filled it with conversations which the delegation did not report: that his memory, as to what occurred in the parlor of the delegation, is treacherous and cannot be depended upon; whilst the recollection of the several members of the delegation of such parts of the conversation as fell within their hearing, is accurate and fresh, and warrants them severally, in giving the most solemn avouch to the public, of the truth of their previous report, and of the facts herein added to it.

With this explanation they desire to take leave of the subject, confidently relying upon their credit and character with their fellow citizens, to whom they beg permission to add, notwithstanding recent attempts to discredit other parts of their report, that upon a deliberate review of the whole of that document, they are willing to pledge their honor and reputation for its entire and unexaggerated truth.

WM. CRAWFORD, jr.  
HUGH BIRCKHEAD,  
J. W. PATTERSON,  
GEO. R. GAITHER,  
W. C. SHAW,  
WM. GRAHAM,  
JOHN BROWN HOWELL.

P. S. Since this reply has been prepared by the delegation, Mr. Brown, conceiving from the special manner in which he has been singled out by Mr. Taney for remark, and believing, from his being the only member of the delegation with whom Mr. McKim had no conversation, that he is the person referred to in that gentleman's letter, has thought it his duty to annex a separate reply in his own name.

For this reason, alone, Mr. Brown's name does not appear with the rest of the delegation, his separate reply being subjoined.

CARD.

In addition to the notice published on the 18th inst. of the statement made by Mr. Taney respecting the conversation re-



ferred to by him, as having taken place between him and myself at Washington, I consider it also my duty, under existing circumstances, to say, that so far as concerns my interview with Mr. McKim, if he alluded to me, he is correct in stating that I had no conversation with him—as I came into the committee room where he was when the interview between him and the delegation was nearly closed. But it is my duty further to state, that although I had not an opportunity myself to hear his remarks, yet from the representations of my colleagues immediately afterwards, and from my entire confidence in their veracity as gentlemen, I cannot entertain the slightest doubt of the statement made; and I do now, as I did when I signed the report, hold myself responsible in common with them, for the truth of every word therein stated. I have thought it necessary to make this separate statement, because I am the only person of the committee to whom Mr. McKim's remarks could apply, and I cheerfully submit my course to the public decision.

GEO. BROWN.

Baltimore, 19th March, 1834.

**REPORT OF THE "UNION COMMITTEE" OF N. YORK**  
 Appointed by the meeting of the signers of the memorial to congress, held on the 11th day of February, 1834, at the Merchants' Exchange, in the city of New York.

The "union committee" appointed by the meeting of merchants and others (signers of the memorial to congress) held on the 11th day of February, 1834, at the Merchants' Exchange of New York, submit the following report: in which as the only means in their power of inducing a reconsideration of the subject by the state legislature, the committee have embodied their views respecting the removal of the public deposits and a national bank.

The committee, anxious in the first instance to ascertain the situation of the state banks and of the branch bank in this city, and the probable amount to which their accommodations might be extended, applied to them for that purpose. The banks have, almost universally, cheerfully complied with that request, although some delay has necessarily taken place; and the statement annexed to this report which exhibits their situation on the 1st of October, 1833, and the 1st of February, 1834, respectively, shows that, so far from any curtailment having taken place, the accommodations given by the banks have, during that period, been increased more than five millions of dollars, and on the 1st of Feb. amounted to almost forty millions of dollars.

On the 1st of October last the loans and discounts of the three banks, which have since been selected to collect the revenue of the U. States, amounted to	\$0,189,593
Those of the other 16 banks, then in operation to	18,953,183
And those of the branch of the United States	6,180,833
	\$34,323,609

On the 1st of February last those of the three selected banks amounted to	\$13,769,552
Those of the 17 other city banks then in operation to	19,494,185
And those of the branch bank to	6,458,540
	\$39,722,277

It was evident from that statement, that the city banks had extended their loans and discounts to the utmost extent consistent with their safety. The liabilities of the eighteen banks of which we have complete returns, including the aggregate amount of their circulation and public and private deposits, and deducting that of their own notes and checks drawn upon them, in the possession of the several banks, and not returned and exchanged till the ensuing morning, amounted on the 1st of February last, exclusively of the balances due to the banks out of the city, to \$15,500,000; and the aggregate amount of specie in their vaults to 1,652,000 dollars. This proportion is known from experience to be sufficient in ordinary times, and will prove so now, so long as the amount of public deposits shall not be materially diminished; and especially at a time when there is not and cannot be any foreign demand for specie; but this amount of specie could not be sensibly lessened without endangering the safety of the banks.

Even if willing to encounter the risk of still further lessening the ratio of specie to liabilities payable on demand, it is not in the power of the banks to do it at pleasure; since the ability to extend their discounts beyond the amount of their capital, depends entirely on that of their circulation and deposits, and these are regulated by the wants of the community, and not by the operations of the banks. Should they, by a simultaneous effort, increase at this time their discounts by two millions of dollars, they must to the same extent issue an additional amount of bank notes, or open additional credits on their books (commonly called deposits) in favor of those whose notes they might discount; and by far the greater part of this excess of issues, or book credits, beyond the amount wanted to effect the payments of the city, would be almost instantaneously returned upon them, either by transfers of the surplus amount to other cities, or in some other way.

In the present state of public excitement and apprehension, the slightest incidents may produce fatal effects. An unfounded alarm as to the situation of the country banks, has shown the necessity imposed on those of the city to husband their re-

sources. In that instance, we are gratified to find that the measures of relief which were immediately adopted have been attended with complete success; and that the banks of the interior by a salutary though painful curtailment of their issues, and by judicious measures for the redemption of their notes, enjoy now the same confidence as heretofore.

The preceding observations are strictly applicable to all the city banks which rely exclusively on their own resources. The late great increase in the amount of loans and discounts belongs almost entirely to the three banks selected to collect the public revenue, and is due partly to the increase of about one million of dollars in the amount of public deposits in this city since the first of August last; but principally to the fact that the selected banks have increased their discounts almost to the whole extent of the public moneys in their hands. Whether they will be able to continue their accommodations to the same amount depends on a contingency, which it is not yet in their power to ascertain, viz: whether their receipts derived from the United States revenue, which may be collected during the ensuing months at New York, will be equal to the amount of the treasury draughts for the public service during the same period.

The city of New York has had no reason to complain of the curtailments made here in its discounts by the bank of the United States. Notwithstanding a decrease of more than four millions of dollars in the amount of the public and private deposits in the New York branch since the first of August last, the loans and discounts here do not vary essentially from the amount allowed, either on the first of August or the first of October, 1833. But it was presumed that the same reasons which had induced the bank to strengthen this important place, had lost nothing of their force; and it was the opinion of the committee that the capital of two millions and a half, originally assigned to the branch of this city, which is but one-fourteenth part of the whole capital of the bank, was much less than is now due to the principal centre of the commerce and moneyed transactions of the country. Strong representations were therefore made for the purpose of obtaining from the bank positive assurances, that no diminution at least of their discounts, or in the purchase of bills of exchange, should take place in this city, and that the forbearance in calling for balances due by the city banks, should be continued to the same extent as heretofore, during the two ensuing months.

A disposition to comply with this request was early manifested, but an intervening incident induced the bank to postpone a definitive answer, which was not received till yesterday. It will be seen by this, that the bank of the United States accedes to the course proposed by the committee of correspondence, "that no diminution up to the first of May next, be made in the present amount of loans and discounts in the city and state of New York, and, if practicable, that an increase be made in the line of domestic bills of exchange, discounted at the office in that city, and that the bank will not call for the payment of such balances, as may become due to it by the city banks up to the first of May next;" it being understood that, in case the bank of the United States should become indebted to the city banks, a similar forbearance on their part is to be observed. The arrangement to be subject to be changed by the bank, in case of further hostile action of the executive, or any unforeseen event. Upon the whole, the committee entertain a confident hope that the accommodations now given by the banks will not be lessened during the ensuing months; but cannot hold out the expectation of any material increase. The only mode by which some relief can be obtained from that source, without increasing the liabilities of the banks payable on demand, which suggests itself, is some uniform plan for an increase of special deposits, bearing a moderate rate of interest, and not to be withdrawn before stated periods according to agreement.

The object of this measure must not be misunderstood. It cannot bring into action any considerable portion of inactive moneyed capital, since there is hardly any which is not at this time actively employed, either directly or indirectly, as ordinary bank deposits. Its only effect would be to substitute, for the private credit which from want of confidence is now withdrawn, bank credit in the shape of certificates of deposit, which the holders might negotiate. Post notes would be more convenient, but seem to be forbidden by law. That plan has been successfully adopted in Massachusetts, and several foreign countries. The city banks are the only proper judges of its practicability, safety and utility, here, and at this time; and they have accordingly been requested to take it into consideration.

In other respects the committee could recommend to them nothing more than to take also into consideration the propriety of the following measures:

An agreement between the several banks, founded upon equitable principles, not to demand from each other, for the present, payment in specie of the balances which may respectively become due to any of them; unless such balance should exceed a certain sum in proportion to their respective capitals.

A uniform and efficient plan for the redemption of country notes in this city, together with such means as may be devised for the purpose of facilitating, at this time, the country remittances.

An application to our representatives in congress, urging the necessity of passing immediately the bills now before that body, for making the silver coins of Mexico and the states of South America a legal tender, and for raising the value of the gold coins to their market price; suggesting, in reference to the last

subject, that, for the sake of uniformity, and of avoiding delay, the same rule should be adopted as in the estimation of duties on foreign importations.

An application to congress for a moderate and permanent appropriation, which may enable the mint to pay in American coins, without delay or expense, for the gold and silver bullion, or uncurrent foreign coins which may be brought to that establishment.

Since it was obvious that the pressure on the money market in this city was not due to any curtailments in the usual accommodations by the banks, but to an increased demand for money, or, to speak more correctly, for credit, the attention of the committee was called to an investigation of the causes to which this state of things must be ascribed.

The causes which have been suggested as more specially affecting this city, are the effects of the tariff, and of the purchase of foreign stocks on its capital. Public opinion assigns the removal of the deposits and the entanglement by the bank of the United States, as the general and immediate causes of the present crisis throughout the whole country.

1. It was found impracticable during the last session of congress to arrange the existing differences on the subject of the tariff, by an act that should embrace all the details pertaining to that intricate subject. In order to remove a pressing and imminent danger, it became necessary to discard all the details, and resort to a compromise embracing only general principles. It could not but be expected that defects might be discovered, and consequences ensue, not perceived or contemplated at the time when the act was passed. It is believed that the great importance to one party, and the great sacrifice required from the other, by the conversion of duties payable at a distant day into cash, or short duties, were not estimated at their full value. That sacrifice falls most heavily on that city in which more than one-half of the revenue is collected. The duties did not, under the old system, become payable till about the time when the importer was paid by the consumer. At present, the New York importers not only collect as heretofore, but in fact advance to government one half of the whole amount of duties on importations, which is ultimately paid by the consumer.

Without entering into a critical analysis of the subject, it is sufficient to observe, that an additional amount of capital, equal to that of the duties, is now required, in order to carry on the same quantity of business in articles on which the duties are now payable in cash, or at much shorter periods than formerly.

The committee are unanimous in the opinion, that the principles of the tariff compromise ought to be strictly respected, and no modifications proposed but such as are consistent with its true intent and spirit. A warehousing system, founded on the principle, that the time at which the duties shall be paid shall be computed from the time when the merchandise is withdrawn by the importer from the warehouse, and not from the date of importation, the committee believe to be entirely of that character, similar to that adopted in every other commercial country, and absolutely necessary for the protection of commerce. As a bill having that object in view is now before congress, a sub-committee has been appointed, for the purpose of collecting all the information connected with the subject, and of corresponding with the representatives of this city in that body.

2. New York has become the principal centre of all the moneyed transactions of the United States. Large amounts of stocks, principally from the south west, have been purchased here, with a view, in a great degree, to their sale in the English markets. This has not of late answered the expectations of the contractors. They may indeed have been enabled to borrow abroad to a considerable extent on the credit of those stocks; but it cannot be doubted that a large amount remains on hand, and has absorbed a corresponding portion of the capital or credit of this city. For this there is no remedy. But a still greater evil has grown out of the speculations on some of those and several other stocks foreign to the city. Ceasing to be legitimate investments of money, frequent and large sales, on time, of stocks not held by the seller, and where the principal generally remains unknown, have degenerated into pure stock jobbing; a most pernicious species of gambling, the cause of artificial and sudden falls in the price of stocks, ruinous to innocent individuals, and generally to those engaged in it; and which has tended at this crisis to increase the want of confidence. The committee has thought it its duty to pass a resolution, earnestly recommending to the board of brokers to discontinue the practice, and has requested the co-operation of the banks to carry that measure into effect.

In approaching the subject of the removal of the public deposits, the first observation that occurs is, that the measure, considered only in its connexion with the fiscal arrangements, the currency, commerce and public or private credit of the country, was at least wholly unnecessary and uncalled for. Abstaining from the discussion of any question, either concerning the rights of the bank, or at issue between the administration and that institution, or relating to the respective powers of the executive, legislative and judicial departments of the government, it is only as they are of a commercial and fiscal nature that the committee intends to examine the reasons assigned by the secretary of the treasury for the removal.

The first reason was, that, judging from the past, it was highly probable that "the public deposits would always amount to

several millions of dollars; and that it would evidently produce serious inconvenience if such a large sum were left in possession of the bank until the last moment of its existence, and then be suddenly withdrawn, when its immense circulation would be returning upon it to be redelivered, and its private depositors removing their funds into other institutions." It may be observed in the first place, that no inconvenience was felt in March, 1811, when the charter of the former bank of the U. States expired, from the fact, that as late as the first of January of that year, the public moneys in that institution exceeded six millions, and on the day of the termination of the charter amounted to two and a half millions of dollars. But the secretary of the treasury, in his annual report on the finances, estimates "the balance that would be left in the treasury, (that is to say, the whole amount of the public deposits), on the 31st December, 1834, at less than three millions of dollars; and that the receipts of 1835 will be less than those of 1834." The secretary could not, on the 28th September, when he removed the public deposits, have been aware that such would be the result of his further investigations, and that since the public deposits would naturally and gradually be lessened between the 1st of October, 1833, and the 31st December, 1834, from near ten millions to less than three millions of dollars, and would probably be liable to a still greater reduction during the year 1835, it was quite unnecessary to order an immediate removal, in order to avoid the danger of their magnitude in the spring of the year 1836. This single fact, thus officially announced—the natural and gradual reduction of the public deposits, in the course of the present year, to less than three millions of dollars—refutes all the arguments, of every description, urged in justification of that measure.

The second reason assigned is, however, of a more complex nature. The secretary is of opinion, that the superior credit of the notes of the bank of the U. States is occasioned altogether by the provision in the charter to receive them in all payments to the United States; that they will be subject to an immediate depreciation at the expiration of the charter, and ought to be previously and gradually withdrawn; and that the same engagement in favor of the notes of any state bank would give them equal credit, and render them equally convenient. And he considered the immediate removal of the public deposits necessary for the double purpose of preventing the inconvenience of the sudden withdrawing of the whole circulation of the bank of the United States, when its charter shall expire, and of preparing in time the substitution of an equally sound and uniform currency to be furnished by the state banks.

The committee is of opinion that the superior credit enjoyed by the notes of the bank of the United States is due principally to the general confidence in its management and solidity; that they have occasionally, in the interior districts of country, a greater value than the notes of specie paying local banks; not for local payments but as remittances to the sea ports; and that the principal effect of their being received every where in payment of debts due to the United States has been to enable the bank to increase the amount of its notes in circulation.—Those notes alone may, at the expiration of the charter, experience a depreciation, which being payable at distant places in the interior, may at that time be found in the sea ports, unless the bank, as is probable, should find it their interest to pay them wherever they are presented.

But the obvious mode to lessen the gross amount of these notes would be a repeal by congress of the provision which makes them receivable in payment of debts due to the United States. The removal of the public deposits, by compelling the bank to curtail its discounts, and only on that account, has an immediate effect on the amount of its private deposits, but cannot alone have the slightest on the circulation of its notes. We find, accordingly, that while the individual deposits of the bank have been lessened between the 1st of August, 1833, and the 1st of February, 1834 by a sum of near three millions and a half dollars, the net circulation, as appears by the following table, has remained the same.

	Loans and disc'ts.	public depos'ts.	individ'l depos'ts.	net circulation.
1833, 1 Aug.	\$34,169,000	\$7,600,000	\$10,152,000	\$18,890,000
Sep.	62,853,000	9,186,000	9,457,000	18,413,000
Oct.	60,094,000	9,869,000	8,009,000	19,128,000
Nov.	57,210,000	8,292,000	7,285,000	18,518,000
Dec.	54,453,000	5,162,000	6,827,000	18,651,000
1834, Jan.	54,911,000	4,230,000	6,735,000	19,202,000
Feb.	54,843,000	3,126,000	6,715,000	19,260,000

No effect whatever has been produced by the withdrawing, between the 1st of October, and the 1st of February, public deposits to the amount of \$6,743,000. If the removal can in no way lessen the circulation, it was certainly unnecessary to resort to that measure for that purpose. But it is worthy of notice, that at the very time when the curtailments by the bank were alleged as a cause for the immediate removal of the public deposits, the attempt should have been made to justify that act, on the ground that it was necessary for the purpose of lessening the bank circulation; and thereby compelling it to lessen still more the amount of its discounts.

The committee will not discuss here either the propriety or the practicability of the substitution, for a national, of an executive bank, formed by the association of state banks, selected for that purpose by the treasury. But if, as the secretary asserts, the privilege of being received in payment of all debts due to the United States is sufficient to render the notes of state

banks equally convenient, and entitled to the same credit, as those of the bank of the U. States, there was certainly no necessity for intermediate preparation. It was quite unnecessary to remove, for that purpose, the public deposits, which at all events must, within a year, according to the treasury estimates, have been reduced gradually and without effort to a very moderate amount. The state bank notes are always abundant and ready; and an act investing them with the privilege of being received every where in payment of debts due to the United States, and passed the month before the charter expired, would, if the opinion of the secretary of the treasury is correct, at once bring them into circulation, and effect the contemplated substitution. But if preparation were requisite, the removal of the deposits was still unnecessary. There is nothing to prevent, and the proper and obvious mode of effecting the object is, an early act of congress to the same effect. It is not quite certain that the executive is not of opinion that this may be done by his sole authority, and without any legislative action. An anxious wish and design to concentrate all the powers of government in that department, and to subject the public purse, the currency and the commerce of the country to the will of one man, is apparent through all the arguments and acts of the administration in relation to that subject.

The curtailment of its discounts by the bank of the United States, during the months of August and September 1833, appears to have been alleged in justification only of the immediate removal of the deposits. Those curtailments were evidently made in anticipation of the proposed removal, and would have ceased, of course, had the plan been abandoned. But it is necessary to observe that the pressure, which the secretary states to have become so intense before the 1st of October in the principal commercial cities, and the presumed curtailments by the state banks, had no existence in the city of New York. It appears by returns of the bank commissioners that the loans and discounts of the fourteen city banks, under the safety fund, amounted on the 1st January, 1833, to \$20,742,000; and on 1st April ensuing to 21,180,000 dollars. On the 1st of October of the same year, they amounted to 21,766,000 dollars; and the increase of capital in operation between the 1st of January and the 1st of October was only two hundred thousand dollars, this being the amount added to that of the Butcher's and Drovers' bank. He was equally mistaken when he supposed that the balances due by the city banks to the branch in the city, would, on the 1st of October, amount to \$1,500,000; and that it was apprehended that the immediate payment of that balance would be insisted on by the branch. The balances due on that day to the branch by the city banks amounted to less than \$602,000; and the apprehension of an immediate demand for payment proved entirely groundless.

It must be kept in view that in all that precedes, the committee has assumed the position asserted by the secretary, that the bank could not be rechartered. It is in that view of the subject, and on that supposition, that the reasons assigned for the propriety or necessity of a removal of the public deposits, prior to the expiration of the charter, appear wholly insufficient.

It has indeed been suggested, that there was an intimate connexion between the immediate removal of the deposits and the non-renewal of the charter; and that to suffer them to remain in the bank implied an obligation of rechartering that institution. This assertion is purely gratuitous and altogether disproved by positive facts.

At this moment the state of Virginia expresses its opinion that the bank is unconstitutional, and ought not therefore to be rechartered, and improves at the same time, in the most explicit terms, the previous removal of the public deposits.

A president avowedly hostile to the whole of our banking system, and particularly so to the former bank of the United States, and whose term of office expired only two years prior to the termination of its charter, never intimated a desire that the public moneys should be withdrawn from it, although there was not at that time any law directing that the public moneys should be placed in that institution.

Those deposits remained in that bank to the last moment of its existence. This circumstance did not prevent the refusal by congress to renew the charter, and was not alluded to, by any of those who were in favor of a continuance, as a reason why the bank should be rechartered.

The committee can see nothing in that assertion, but an attempt to divert public attention from the true question at issue, and the admission that the removal of the deposits cannot be defended on its own merits.

A curtailment of its discounts by the bank of the United States was a necessary consequence of the withdrawing of the public deposits. The author of this measure is responsible for all the effects that may have flowed from the curtailments. It is idle to say that they have been greater than was expected, or made at a different time, or in a different manner from what had been anticipated. If it was impossible for the executive, or for any human being, to foresee what the bank, under those circumstances, might be compelled or inclined to do, and the effects which its acts might have on the currency and commerce of the country, that was a sufficient reason for not adopting with precipitation a measure in itself wholly unnecessary. But we are quite satisfied that the result which has taken place was not, and could not have been anticipated by the executive. And we believe, that although general apprehensions were entertained of the effect which might be produced by that change in

the relations between the government and the bank, no one foresaw the extent of the evils which have ensued. In the act we only blame the boldness of having unnecessarily tampered with the paper currency and credit of the country. This important view of the subject seems indeed to have entirely escaped the notice of the executive. Among the inquiries which preceded the removal, we see none that might have elicited the opinions of practical men on the probable effects of that measure on commerce and on the community at large. The inquiry was confined to the laudable, but secondary object of ascertaining what conditions might be imposed on the state banks selected for collecting the revenue. But, if there is an excuse for want of foresight, no apology can be found for obstinately persevering in an erroneous course, after the error had been discovered, and the fatal effects of the measure had become undeniable.

The gross amount of curtailments made by the bank has not in the whole much exceeded the decrease in its public and private deposits. There are fluctuations depending on the season of the year and the course of trade. The fairest mode of computation is a comparison of similar periods of the year. The preceding tabular statement shows that the decrease in the discounts amounted during the year to \$7,010,000 and the decrease in its public and private deposits to \$8,322,000.

If the comparison is instituted between the 1st of August, 1833, when the discounts of the bank had reached the highest point and it began to curtail, and the 1st of February, 1834, the result will be

Discounts on 1st August, 1833,	\$64,160,000
on 1st February, 1834,	54,843,000

Decrease,	\$9,317,000
Public and individual deposits on the 1st Aug. 1833,	17,752,000
1st Feb. 1834,	9,781,000

Decrease,	\$7,971,000
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But the curtailments of the bank commenced in August, and continued till the 1st of December, when its discounts had reached the lowest point; while the revenue did not begin to be collected by the state banks before the 1st of October; from which time the public deposits have been gradually withdrawn. The bank, therefore, did not decrease its discounts at the same rate and in the same proportion as its deposits were withdrawn. A comparison between the 1st of August and the 1st of December shows the greatest amount of difference between the respective decrease of each.

Its discounts were, on the 1st of August, 1833	\$64,160,000
On the 1st December, 1833	54,453,000

Decrease	\$9,707,000
Public and individual deposits on 1st Aug. 1833	17,752,000
1st December, 1833	11,989,000

Decrease only	\$5,763,000
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The bank had in fact curtailed their discounts more than four millions between the 1st of August and the 1st of October. It cannot be doubted that this measure produced a derangement in the business of certain sections of the country, and had its share in producing the distress which afterwards ensued. But that curtailment began only after the agent of the treasury appointed to make the preparatory arrangements for the removal, had commenced his inquiries. The object of his mission was one of public notoriety; and it was a natural course on the part of the board of directors, when they had lost the confidence of the administration and were threatened with an early withdrawing of the large funds belonging to the public in their hands, to prepare themselves for the event, and provide in time the necessary funds. It may be that the precautions were carried farther than may now appear to have been strictly necessary. The decidedly hostile attitude assumed by the executive, and the necessity of protecting twenty-four branches against attacks, which, if not intended, were at least threatened, under certain vague contingencies, and, at a later period, the contingent draughts and other circumstances, were calculated to impose on the bank the necessity of effectually providing for its own safety. The committee is perfectly satisfied that the executive is wholly incapable of having countenanced any plan for dishonoring any of the branches of the bank; nor do they know the circumstances which led to the sudden call of more than 300,000 dollars in specie on that of Savannah. But the fact is a matter of great regret; and they must be permitted to say, that if this blow had been successful (or if a similar one had been aimed one month ago, at the country banks of this state, and before they were prepared for the present state of things), it would have been most fatal and might have been attended with a general suspension of specie payments. Any premeditated attempt of that kind, on whatever pretence and by whomsoever made, must originate in gross ignorance of the system of credit which connects all the moneyed interests of the United States, and in the detestable maxim, that the end justifies the means.

The banks selected for collecting the revenue after the 1st of October, commenced immediately to extend their discounts; and from an examination of their returns, it appears probable, that the whole amount of discounts by all the banks in the U. States, including that of the United States, has not in the aggregate been lessened at any time more than four millions of dollars since the 1st of August, 1833. The committee is confident that there has been no very sensible diminution since the

first of October, that it could not at any time have amounted to six millions, that there has been a gradual increase since the 1st of December, and that the aggregate of bank discounts and loans, including the purchases by banks of bills of exchange, through the United States, is at this time nearly, if not altogether, equal to what it was on the 1st of August, 1833.

These facts and all the symptoms of the present crisis clearly prove, that it is not in the amount alone of lessened accommodations of the banks, that we are to seek for the immediate cause of the general distress; and render it highly probable that the previous state of the commercial transactions and of commercial credit made it liable to be disturbed by what may appear comparatively slight causes.

Credit is indispensable to commerce, and to every species of active business. To the proper use of credit, in supplying the want of an adequate capital, the United States are in a great degree indebted for their truly astonishing progress in navigation, commerce and the manufactures; for their stupendous internal improvements; for the stimulus given to agriculture, and the price obtained for every species of agricultural produce; for the employment and adequate compensation of labor. But the abuse of one of the most powerful elements of its prosperity is, in this energetic and enterprising country, almost unavoidable. Successive years of prosperous enterprise hardly ever fail to produce a further extension of business beyond the actual capital; and it may be that this was the case during the period which immediately preceded the present crisis. There were, however, no apparent symptoms of what is generally designated by the term of "over trading;" and the state of the foreign exchanges has not given any indication in an excess in our importations. Still, and at all times, in no country, has the extension of credit, in all its forms, been carried farther than in the United States. The currency of the country, founded on a specie basis generally too narrow for the superstructure, rests almost exclusively on the confidence placed in the solidity of the notes discounted by near four hundred banks of issue. A similar disproportion is to be found between the actual capital of merchants, manufacturers, mechanics, and of almost all men engaged in the active pursuits of life, and the amount of their business. All those men are at the same time debtors and creditors for sums generally far exceeding their respective capitals. All depend for the ability of punctually discharging their engagements, on the punctuality of each other.

The increased facilities of communication and inland exchanges have, within the last years, multiplied to an extent heretofore unknown, the transactions, contracts and responsibilities, between the several cities, and between the cities and even the most remote parts of the country.

The regularity with which the enormous mass of engagements resulting from those transactions spread over the whole country, and all intimately connected together, can be discharged, depends entirely on an uninterrupted continuance of the ordinary sales, payments, remittances and credits. The whole machinery, by which business in all its various branches is carried on, is credit extended to its utmost limits. Whatever lessens the general confidence, on which credit is founded, must necessarily produce a fatal derangement and interruption in every branch of business.\*

It is with this state of things, that, without any necessity or investigation, the executive thought proper to interfere. The bank of the United States, from its capital and the ground it occupies, must, while it exists, set a prominent part in the commercial concerns of the country. The measures which that institution was obliged to take for its own safety must necessarily have caused some derangement in the ordinary operations of commerce. But the fatal injury inflicted by the executive measure, was its effect on general confidence.

The threat of the removal of the deposits, and especially their actual removal, created apprehensions of danger, immediately to the bank itself, and more remotely to all the moneyed institutions and concerns of the country. Retrenchment at all, and rigorous enforcements of its claims at some points, were presumed to be indispensable to the safety of the bank; and the extent being conjectural, was exaggerated by timid capitalists, who, as a class, are perhaps more fearful than men of less wealth. Men saw that the relations between the government and the bank were thenceforth to be hostile; that between it and the selected banks they were to be those of mistrust, and that without a national bank the stability and safety of the whole monetary system of the country would be endangered. This was the first instance in the history of our government of a direct interference of the president with one of its officers, in the performance of the duties which by law devolved exclusively on that officer. It was the more dangerous, as being made in defiance of a solemn vote of the late congress at their last session; and as if with the intention to forestall the opinion of that

\*Some notion of the magnitude of these engagements may be formed by a view of those of this city. The statement annexed to this report, shows the amount of the daily exchanges of the banks, consisting of the daily payments for the 1st of October and the 1st of February respectively, in the several banks, in notes of the other city banks, and checks drawn on such banks. It does not include the payments made in each bank in notes of that bank or in checks upon it. The medium of the two days is about four millions and a half a day—and adding the payments omitted, may be estimated at five millions a day, or more than fifteen hundred millions of dollars a year.

which must meet within sixty days after the interference was made, and as if to encroach on its legitimate rights. But nothing could be more alarming to men of business, who rely for the success of their operations, on that stability in those of government which can only be guaranteed by law, than unexpectedly to discover that the commerce, the currency and the moneyed institutions of the country, its credit, and their own credit and fortunes, were thenceforth to depend on the private opinions, the presumed wisdom, and the arbitrary will of one man. Other minor causes increased the apprehensions, and restricted more and more the use of private capital and private credit; and the alarm became a panic, not dependent upon, or to be explained as a matter of ordinary reason. The banks, indeed, protected by the impossibility of exporting specie without loss, have preserved their credit, and been enabled generally to continue their usual accommodations. It is private credit which has been most deeply affected; and the leading feature of the present distress is the consequent interruption, and in many cases, cessation of business.

The importers diminish greatly their orders and their purchases of foreign exchange. The intermediate wholesale merchants, fearful to contract new engagements, are only anxious about the remittances necessary to discharge those already contracted. Those engaged in the exportation of the produce of the country, doubtful whether they can sell the foreign bills on which that exportation depends, give but limited orders for it. The country merchants and the manufacturers are no longer permitted to draw as formerly in advance on the cities for the products of the soil or of their industry. Men with small capitals, if at all extended, when disappointed in the remittances they naturally expected, are crushed. New enterprises and engagements of every description are avoided, and, in many instances, workmen are discharged, or a reduction of wages required. We state only what we see and feel. If correctly informed, the effects of the distress are still more extensive in other places. The actual evils are aggravated by general apprehension, and the alarm may be greater than the true state of things justifies: in every aspect of the subject, the true and efficient remedy consists in restoring confidence and credit.

It is obvious that the most prompt and effective mode of attaining that object is to remove the cause of the evil; and that confidence would be almost instantaneously restored, by replacing the bank, during the remainder of its existence, in the situation it had heretofore occupied, and thus enabling it to resume its functions to their usual extent. It is in the power of the executive to do this at once; and the committee deeply regrets to find itself compelled to say that there is hardly any hope of relief from that quarter. Our reliance is on the representatives of the people in congress, in whom the power of ultimately deciding the question is clearly vested, and whose acts will not, we trust, disappoint the expectations of a suffering community.

In the mean while, the committee intreats their fellow citizens not to despair; and to reflect that there are limits to the injuries which any administration can inflict on the people. The usual channels of circulation are indeed obstructed; but the products of the national industry, though stagnated, are abundant: the actual capital of the country still remains unimpaired, though the nominal value of property is for a time lessened. There is no foreign pressure, and the skill and activity of our intelligent merchants must, after a while, renew that chain of operations which has been interrupted. The evil, through a painful process, is gradually working its remedy. In proportion as no new engagements are contracted, the whole mass is daily lessened, and we must, after a period of severe suffering unnecessarily inflicted, be placed in a situation better adapted to a new order of things.

Among the sources from which relief ere long may be expected, the attention of the committee has been naturally turned towards the bank of the United States. Since the object of the president was to cripple an institution which he considered as pernicious, he must have calculated the extent of the injury which that measure would inflict on the bank; and he might have anticipated that it would in one respect produce a result, the reverse of that which it was his object to effect. The extent of the injury to the bank was to lessen its discounts eight or ten millions a year, and to cause a proportionate reduction in its profits during the remainder of its existence; but it might have been anticipated, and it was predicted by calm observers, that, though the bank might be annoyed so long as it remained liable greater treasury draughts than it was convenient to pay, the power of the treasury would be exhausted whenever the process of withdrawing the public moneys should be at an end; and that the bank, though deprived of the public deposits, would still remain with great comparative strength, derived from its capital, its specie, its branches, and its superiority in facilitating inland exchanges. It might therefore have been justly apprehended, that, according to the opinion entertained of the bank by the executive, that institution, no longer restrained by the fear of losing the public deposits, and released from every obligation to government, might exert its power in a manner most injurious to the community.

But that power may also be exercised for the best of purposes, and as the means of affording relief. That such is the fact is now most clearly acknowledged both by the clamor incessantly raised against the line of conduct heretofore adopted by the bank, and by the repeated declarations of the president himself. It is indeed a most singular feature in the conduct of the execu-

tive; after a most express declaration, that one of the avowed objects of its measure was, to compel the bank gradually to withdraw its circulation and reduce its discounts, (in order to prevent the general distress that might ensue if this was not done in time before the expiration of the charter), that those who apply for relief should now receive for answer that their application should be made to the bank; that is to say, that it is not only in the power of that institution, but that it is bound to relieve the community by an increase of its discounts. Leaving to others the task of explaining this contradiction, the committee is of opinion, that the time is not far distant, when, after the remaining deposits shall have been entirely withdrawn, the bank will find itself in a state of perfect safety, which will enable it, though with far less efficacy than if they were restored, to resume to a certain extent its usual operations, and to afford considerable relief to the commerce of the country: The perfect safety of the bank must necessarily be the primary object of the board of directors. Our opinion, that a moderate extension of its accommodations, and a fearless application of its means within proper limits will, at no very distant time, be compatible with that object, is derived from a view of its liabilities and cash resources at this time, as compared with its situation prior to the removal of the deposits, and with that of the other banks at this moment.

The following statements exhibit the situation of the bank, on the 1st of February and 1st of Aug. 1833, and on the 1st February, 1834; that of the banks selected to collect the revenue at the last mentioned date; and that of a great portion of the banks of the Atlantic states north of the Potomac on the 1st of January, 1834.

*Bank of the United States.*

*1st February, 1834.*

Liabilities payable on demand,	
Notes net circulation.....	\$19,260,500
Deposites and unclaimed dividends.....	10,032,500
	<hr/>
Capital.....	29,293,000
	35,000,000
	<hr/>
Apparent surplus.....	64,293,000
	8,943,000
	<hr/>
	\$73,236,000

Cash resources,

Specie.....	\$10,523,000
Funds in Europe and foreign exchange.....	1,644,000
Due by state banks and notes of ditto.....	3,121,000
	<hr/>
Loans, discounts and bills of exchange.....	15,288,000
Real estate, banking houses, and sundries.....	54,843,000
	3,105,000
	<hr/>
	\$73,236,000

*1st August, 1833.*

Liabilities payable on demand,	
Notes net circulation.....	\$18,890,500
Deposites and unclaimed dividends.....	17,951,700
	<hr/>
	36,842,200

Cash resources,

Specie.....	10,024,000
Funds in Europe and foreign exchange.....	2,148,000
Due by state banks and notes of ditto.....	2,970,000
	<hr/>
	15,142,000
Loans, discounts and bills of exchange.....	64,140,000

*1st February, 1833.*

Liabilities payable on demand,	
Notes net circulation.....	\$23,672,400
Deposites and unclaimed dividends.....	18,021,100
	<hr/>
	41,693,500

Cash resources,

Specie.....	9,046,000
Funds in Europe and foreign exchange.....	3,101,000
Due by state banks and notes of ditto.....	2,447,500
	<hr/>
	14,594,500
Loans, discounts and bills of exchange.....	61,921,500

*Approximate situation of the banks of Maine, Massachusetts, R. Island, Connecticut, New York, Pennsylvania, Baltimore and District of Columbia.*

*1st January, 1834.*

Liabilities payable on demand,	
Notes net circulation.....	\$32,550,000
Deposites.....	35,150,000
	<hr/>
	67,700,000
Sundry debts not on demand.....	12,300,000
Capital.....	96,076,000
Apparent surplus.....	5,814,000
	<hr/>
	181,890,000

Cash resources,	
Specie.....	\$8,750,000
Due by banks.....	880,000
	<hr/>
	9,630,000
Loans and discounts.....	165,860,000
Real estate and sundries.....	6,400,000
	<hr/>
	181,890,000

*Approximate situation of the twenty-five banks selected to collect the U. S. revenue, from the latest returns to February, 1834.*

*1st February, 1834.*

Liabilities payable on demand,	
Notes net circulation.....	\$8,620,000
Public deposits.....	10,800,000
Individual ditto.....	9,940,000
	<hr/>
	29,360,000
Debts not payable on demand.....	1,200,000
Capital.....	28,115,000
	<hr/>
	58,675,000

Cash resources,

Specie.....	3,000,000
Due by banks.....	2,675,000
	<hr/>
	5,675,000
Loans and discounts.....	47,711,000
Real estate and sundries.....	6,264,000
	<hr/>
	59,650,000

N. B. Various items are so blended in some of the returns, that in attempting to separate them, some errors must have been unavoidable.

The views here exhibited affords on the one hand a conclusive proof of the solidity of the bank and of the safety of the public moneys while permitted to remain in its possession. But it also shows that the ratio of the cash resources of the bank to its liabilities payable on demand, was on the 1st of February last as 1 to 1.9-10; while the same ratio was on the 1st February, 1833, as 1 to 2.8-10, and on the 1st of August last, as 1 to 2.4-10; while the cash resources of the northern banks to their liabilities payable on demand is in the ratio of one to near 7.1-3; and the banks selected to collect the revenue, and in which all the power of the treasury is concentrated, are nearly as powerless, since the ratio is near that of 1 to 5.1-5.

We admit that in ordinary times and with the great uncertainty respecting the renewal of its charter, it would be expedient for the bank rather gradually to reduce than to extend its discounts; but the present crisis calls for extraordinary exertions, and the bank of the United States having, though unconnected with government, a common interest with all the other members of society in its welfare, and the same duties to perform towards the community which at such times are imposed upon every other moneyed institution, will most undoubtedly alter as far as practicable the course which prudence heretofore dictated, so soon as it shall see itself in a state of perfect safety; and provided that no new and unforeseen acts of hostility shall be committed by the executive against it.

It is, however, much less in the amount of increased accommodations by the bank of the United States, than in the confidence which the fact that is has resolved to extend its operations to a certain extent will inspire, that we look for some relief. The amount itself, so long as the bank continues to be deprived of the public deposits and until it shall be able to resume its ordinary functions, can be but moderate. It is evident that its discounts cannot be increased without a proportionate increase of its circulation, or individual deposits, or without lessening its stock of specie by an equal amount. The increase either of its circulation or of its private deposits does not depend on its own acts; and, in the present state of things, it is absolutely necessary, not only for its own safety, but for that of all the state banks, and as the ultimate means of sustaining through the crisis the general currency of the country, that the specie in its vaults should not be considerably diminished. The committee is informed that the bank has taken measures for increasing the amount through the means of its foreign funds. It does not appear from the situation of the banks appointed to collect the revenue, that any measures have been taken by the treasury with a view to that object; and we beg leave again to insist on the necessity, in order to render the whole amount of the precious metals in the country available, of passing without delay the acts intended to make all the American and foreign silver coins a legal tender, and to raise the gold coins to their real value.

The committee is aware that, in order to restore public confidence, more is wanted than temporary expedients, and is also aware of the anxiety which prevails concerning the prospective views of the administration in reference to the currency of the country.

Without dwelling on the danger of recurring to hazardous and premature experiments, at the expense of the community, we will only submit some cursory observations on plans hardly digested and which have not yet been developed in their details. Two have been suggested; a currency founded exclu-

sively on the precious metals, or a paper currency consisting exclusively of that issued by banks incorporated by the several states.

It is not necessary at this time to discuss the respective advantages and inconveniences of a metallic and of a paper currency. It is evident that the first could be established but gradually, and at a considerable expense; since the purchase of sixty to eighty millions of dollars, in gold and silver, would be necessary to supply the place of the existing paper currency. But the banking system and its appendage of paper issues now pervades every district of the union; and a total change in the habits of the people must take place, before the plan can be carried into effect. The impossibility of attaining the object through the action of the revenue alone is palpable, and results from the immense disproportion between the mass of payments for the ordinary and current business of the country, and those which are effected by the general government.

It has already been stated that the daily payments in the banks of this city amounted to near five millions on the first of October, and exceeded four millions on the first of February last. This includes neither the payments made in each bank in its own notes, or in checks drawn upon it; nor any portion of the retail business of the city, or of any of the other payments made without the intermediate agency of the banks. The daily payments, in this city alone, amount to at least five millions of dollars a day, or near sixteen hundred millions of dollars a year. The annual revenue collected in New York cannot now exceed fifteen millions; and the action of government cannot extend beyond its receipts and its disbursements, that is to say, to more than than thirty millions of dollars, or less than one fiftieth part of the whole. All that government could do would be to accumulate an amount of specie equal to the permanent public deposits. It might, at most, establish a separate metallic currency for government, by compelling importers and purchasers of public lands to pay in specie, and by paying its creditors in the same currency. But this metallic currency would be used for that, and for no other purpose. It could have no control over the general currency of the country, nor prevent its depreciation, or a general suspension of specie payments. It might only enable government, if such a catastrophe should ensue, to preserve through the general confusion, the public faith towards the creditors of the public. We must only aim at what is practicable; and the only rational plan, for the present, must be, without excluding the paper currency, to restrict it within proper limits.

The objects and expectations of the administration, in the attempt to establish a sound currency through the agency of state banks, have not been distinctly explained, and are not thoroughly understood.

If we recur to the past, we may say that the experiment was already made in the year 1811, at the termination of the charter of the former bank of the United States; and no disappointment, though some inconvenience was experienced in carrying on the ordinary operations of government, so long as no untoward event disturb the ordinary state of things. During the two or three ensuing years, no loss occurred in the collection of the revenue, or in the safe keeping and transmission of the public moneys. But the currency had been left to the sole control of twenty different state legislatures; the mania of establishing new banks without restrictions, or under restrictions purely nominal, pervaded the whole country, and terminated in that suspension of specie payments, and the confusions incident to it, which indeed congress, in 1816, to recur again to a national bank, with what success, for the purposes intended, the event has shown.

The observation already made, with respect to the hard money experiment, is applicable to that of establishing a general, uniform and sound currency, through the agency of state banks, in the manner which seems to be contemplated. The action of the treasury is confined to the collection and disbursement of the revenue. Through those means, and supposing that the plan should succeed, its effect, at the utmost, could only be to regulate, by some special contract, the currency of the few selected bank; this could have no control over the general currency of the country, or to restrict its amount in the slightest degree. But to the plan itself there are two insuperable objections.

Although the terms upon which a contract shall be made with any state bank selected for the purpose, may be regulated by law, the selection of the banks from the necessity of the case, and, according to the views entertained by the administration, the removal of the public moneys from one bank to another, must be intrusted to the discretionary power of the treasury, or of the president. An executive will be substituted for a legislative bank, subject to the abuses incident to arbitrary power, increasing the patronage of the executive, and giving to the administration, not only a power over the public purse not intended by the constitution, but even if it chooses, that of interfering, in the most direct manner, with the private concerns and interests of men in business. To that concentration of power in one man we most decidedly object. It is no argument to say, that the power did formerly exist, and was not abused. Even then, it proved ultimately the cause of a loss the dead money in the treasury. We wish ever to live under a government of laws, and not of men. The provision in the act incorporating the present bank, which designated the place where the public moneys should be deposited, was in every

respect proper and salutary; not less acceptable to the secretary of the treasury, who must always wish to be guarded by law rather than be clothed with discretionary powers, than beneficial to the public interests, by guarding against the danger of the control of the public purse being converted into an engine of power, if government should ever fall into improper hands. We have only to lament, that, in order to guard against an imaginary danger, the provision was expressed in such terms as to have permitted the act of which we now complain.

But while the selected state banks shall be under the executive control in the manner above stated, they cannot be regulated by either congress or the treasury, in any point connected with the currency of the country, that may interfere with their charters, or not be permitted by the laws of the state.

The state banks are artificial bodies, deriving their existence from the several states by which they have been incorporated, and subject to the laws and to the control of each state respectively. They may, or may not, be permitted to accede to the terms prescribed by congress, or by the executive, for becoming the collectors and the depositories of the public moneys. If any state shall think that a compliance, on the part of the selected bank, with the legislative or treasury regulations shall interfere with the banking system, or currency, which that state wishes to maintain, it will forbid the bank to accept those terms. Whether any bank may, on any terms, become a subordinate branch of the treasury of the United States, depends entirely on the will of the several states.

It has been asked, if the state banks were deemed necessary for carrying into effect the legitimate powers of the national government, whether this was not an admission that a national bank was authorised by the constitution? But without discussing the constitutional question, it is impossible to suppose that the government of the United States is so constituted, that it cannot perform its most legitimate functions through its own officers and agents; that, even for collecting its own revenue, it is compelled to resort to state institutions. Why not at once recur to the treasurers of the several states, and make them sub-treasurers of the United States? Should any one, startled with such a supposition, charge us with having stated an impossible case, we reply that this is not a supposition, but a fact.

Among the banks selected by the secretary of the treasury is the Mobile branch of the bank of the state of Alabama. Neither in that bank or its branches is there a single individual stockholder. All the funds are furnished by the state; the business of the bank is carried on solely for the benefit and at the risk of the state, whose credit is pledged for the ultimate redemption and payment of all notes issued, and all debts contracted by said bank; and it is managed by a president and fourteen directors, annually elected by a joint vote of both houses of the legislature. Whether the notes issued by that bank of the state are not to all intents and purposes "bills of credit emitted by that state" it is not our province to inquire; we only state the fact, that the secretary of the treasury has selected as an agent of that department, a branch of a branch of the treasury of one of the states.

It is principally because congress either has not, or will not exercise the power of regulating and restraining the currency issued, under the authority of the several states, that resort has been had twice to a national bank. Until a more direct and efficient mode shall have been suggested, we must look to that institution as the only means through which a sound and uniform paper currency can be issued under the authority of the national government, and as the best instrument for regulating, though indirectly and but partially, the whole currency of the country; but no substitute will answer the purpose, unless the power of congress to regulate the currency of the states should be admitted and exercised. We know from the experience of nearly forty years, that so long as a bank of the United States has been in operation we have had a sound currency; and that it was thrown into utter confusion, when left to the control of the several states, each acting according to its particular views of the subject. Experience has shown in what respects the powers with which the bank was invested may be abused, and what modifications may be necessary, in order to remove well grounded objections, and, without lessening its utility, to adapt it better to the wishes and the wants of the people. We abstain at this time from any expression of the views of the committee respecting the several modifications which have heretofore been suggested, as we believe the discussion would be premature, and the time unpropitious for a calm investigation of that important subject. In the mean while, and while the question whether congress shall ultimately charter a national bank remains in a state of uncertainty, the attention of the committee has been forcibly turned towards the banking system and the currency of this state.

It is incontestable, that the defects in the laws of the several states on that subject, the excessive issues of paper by some of the state banks, and the consequences felt or apprehended to ensue, furnish the strongest argument in favor of a bank of the United States. It is highly probable that if at the termination of the charter of the former bank, the several states, instead of indulging the mania which prevailed for multiplying unrestricted banks, had each passed the necessary laws for regulating and restraining their own paper currency, the present bank of the United States would not have been called into existence. We are ready to admit that even with a national bank, the cooperation of the several states would be highly useful, for the purpose of establishing a sound currency throughout the whole

country, so long as the power of congress to regulate it by law, in a direct manner, shall be either denied or not exercised. In every view of the subject, it is highly important that the defects of our own system should be corrected. It is not judging by the result that we are disposed to think it worse than that of most of the other states. The disproportion between specie and issues is as great in Massachusetts and Virginia as in New York. But the affairs of our own state are our own concern; and we believe that, considering its population, geographical position, wealth and commercial connexions, its example would have a happy influence over the other states.

The first observation we beg leave to submit, is the propriety of repealing that law of the state which forbids every person or association of persons, other than incorporated banks, not only to issue any notes or bills and put them in circulation as money (a prohibition equally proper and necessary), but which extends the prohibition to the "keeping of any office for the purpose of receiving deposits or discounting notes or bills." This last restriction on the common and legitimate use of private capital, is, we believe, peculiar to the state of New York, and is not to be found in the code of the other states, nor indeed of any other commercial country. Instead of making the lending and borrowing of money for commercial purposes an exclusive privilege, it is the policy of every commercial country, and far more consistent with the spirit of our institutions, to set private capital free from any unnecessary restriction, as the best means of producing competition, and of reducing by natural means the price paid for the use of money.

We concur also in the opinion of the bank commissioners, that the number of banks ought not to be increased but with great caution; that the natural tendency of an increased number is to increase bank issues beyond what is necessary and proper; that if any additional banking capital is wanted it is for the purpose of increasing bank accommodations in favor of the community, and not for that of increasing bank issues and bank profits, and that for that purpose, the increase of the capital of existing banks, so as to equalize as far as practicable that of banks in the same locality, is preferable to the creation of new banks.

We must add, in reference to that equality of capital between banks in the same locality or placed under similar circumstances, that the only reason for giving to the bank of the United States its large capital was, besides the extent of territory over which its operations must be carried, the necessity of investing it with power sufficient to check and regulate the issues of the other banks. And the power was thus given, only because congress was presumed not to have the authority of restraining those issues, by laws directly applicable to that object. But the states are under no such restrictions. They have the full and unlimited power to regulate and restrain their own banking system, and the circulation of their own banks, to any extent and in whatever manner they please. There is, therefore, no necessity or reason for the erection by the state, of a bank with a capital superior to that of all its other moneyed institutions, enabled thereby to govern and oppress all of them, and obnoxious, without any apology for it, to all the objections which have been raised against the bank of the United States. Free competition as it now exists between the several banks, is highly useful; and there are few things more to be deprecated than a powerful moneyed institution, not merely regulated by a general law, but kept in its operations under the immediate control of government, and liable to be used as an engine by those who administer government.

The laws of the state contain many provisions well calculated to prevent and to punish fraud, and to ensure, so far as it can be done by legal enactments, the ultimate solvency of the banks. And the act, commonly called the "safety fund act," has provided for annual and intermediary investigations which we consider as salutary, and which we wish only to see accompanied by annual, clear and complete statements of the situation of every bank subject to the provisions of the act. We see indeed no reason why every bank in this state, without exception, should not be made subject to the same investigation and publicity, and, to all the general laws of the state respecting moneyed corporations, save only such as may impose the payment of any money, or render them liable to any moneyed responsibility, not within the purport of their respective charters.

But although gross mismanagement may produce some exceptions, it is not the ultimate insolvency of the banks which is to be apprehended. The great danger to be guarded against is, that general suspension of specie payments, which both immediately and afterwards when such payments are resumed, is attended with the utter subversion of existing contracts, and with calamities which effect every class, and none more than the poorer classes of society.

The fundamental and objectionable provision of the safety fund act is that which lays a yearly tax of one-half per cent. on the capital of all the banks, for the purpose of applying the proceeds to the payment of any part of its debts, which any bank, by its own misconduct, may become unable to discharge.

This tax is unjust, inasmuch as it renders banks responsible for others over which they have no control: and in that it offers a premium in favor of misconduct or unskillful management, at the expense of those which are wisely and cautiously managed. It is more particularly unjust in reference to this city; inasmuch

as the tax is laid in proportion to the capital and not to the circulation. It will be seen by the report of the bank commissioners that the apparent circulation of the city banks amounted on the first January last to \$4,900,000, and that of the country banks to 10,500,000 dollars; while the tax being laid on the capital, the city banks pay annually more than 63,000 dollars towards the fund and the country banks less than fifty-one thousand. The disproportion would, it is true, be considerably less, by including the deposits. But the report does not enable us to state the precise amount of the aggregate of the circulation and individual deposits in the city and country respectively.

What renders the tax still more unjust, is the total want of reciprocity. The notes of the city banks did not require the guaranty of those in the country; and, so far from their circulation being increased by that provision, it has, in fact, been lessened, within the city itself, by the introduction of country paper, to which the guaranty of the city banks has given an artificial value.

It is this last circumstance which, apart from its injustice, renders the system unsafe and dangerous to the community at large. Instead of suffering the circulation of each bank to rest on the confidence to which it was naturally entitled, each one has been enabled to extend its circulation as far as its local situation permitted, without regard to its capital, its resources, its management, and to the degree of confidence to which it is entitled by all those circumstances; and solely on account of the artificial confidence arising from the guaranty of more responsible institutions which has been created by the law. Hence the extravagant issues of some of them, the disproportion between their specie and their issues, and the imminent danger of suspension of specie payments which threatens the whole system, whenever any untoward event, such as must necessarily occur in the course of human affairs, may disturb the ordinary state of things. It is perfectly natural that every bank should avail itself of the advantages derived from its situation, whether natural or bestowed on it by the laws of the land. Each will naturally try to increase its profits to the utmost limits. We find, accordingly, by the report of the bank commissioners of the fifth day of March, 1833, that, while the average dividends of thirteen city banks amounted to little more than six per cent., those of seven of the banks in Albany and Troy were nearly at the rate of eight per cent. and the average of the thirty-two other banks, included in the report, was almost nine and a half per cent. on their capitals. It is not to be wondered at that, under such circumstances, perpetual applications should be made for new banks; that they should be at last considered less in reference to their utility to the community, than as special favors granted to the applicants; that there should be a perpetual and unnecessary increase of new banks, and that, as has been conclusively proved by the bank commissioners, this should have been attended with a dangerous and immoderate increase of the bank issues.

We think it, therefore, of the highest importance that those defects in the existing system, which endanger the soundness of the currency, and which may render the rechartering of the bank of the United States, on any terms, absolutely necessary, should be corrected; and the remedies for that purpose are most simple and obvious.

They consist merely in restricting the amount of the loans and circulation of each bank, by substantial, and not by nominal, restrictions. The suppression of notes of a less denomination than five dollars, we believe, is generally demanded. It will have, among others, the great advantage of causing all small payments, those for articles daily brought for sale at market, and those for the daily compensation of labor, to be made in specie, and of lessening the injury which the suspension of specie payments, or failure of any bank, always inflicts on the poorer classes. But this measure will afford but a partial remedy against the general danger. The amount is variously estimated—at one fifth or one fourth part of the whole circulation: but no inconsiderable portion of this would be soon again supplied by five dollar notes. We repeat, that the true and efficient remedy is only to be found in a substantial restriction on the issues and loans of the banks.

According to the existing laws, the loans are restricted to twice and a half, and the amount of bank notes to twice the amount of the capital. The first restriction is insufficient; and the last can hardly be called a restriction. There is no bank which may not divide more than six per cent. if its loans are limited to twice the amount of its capital. Under proper management a much smaller amount is sufficient. The total amount of notes issued by all the banks of the northern states is less than one-third part of their capital. It will be seen by the last report of the bank commissioners, that the gross amount of all the notes issued, that is to say, the whole of the apparent circulation of the banks under the safety fund, amounted to 15,400,000 on a capital of 22,700,000 of dollars. The disproportion between the liabilities and resources is to be found in the extraordinary amount of issues of some of the banks. It is not for the purpose of enabling stockholders to make extraordinary profits, but for the public good, that banks are instituted. We are perfectly satisfied, that a restriction which would limit the issues of every bank to two-thirds of its capital, would be amply sufficient to secure to each a dividend of six per cent. and, in a great degree, to the state a sound currency, independent of the acts of any other legislative body.

By the instruction given to the committee at the public meeting, by which they were instituted, it became their duty to en-

\*The tax is for six years certain, and contingent for the ensuing years until the charter expires.

deavor to effect an union of the chamber of commerce and the board of trade. This subject has been committed to a sub-committee, and has been brought by them to the consideration of those associations. It is understood that no definite plan of union has yet been agreed upon; but the committee trust, that as there are so many objects of great and mutual interest, some plan may be devised by which an efficient action and united efforts of both may always hereafter be secured, without the loss of any distinctive powers which either may desire to retain.

- ALBERT GALLATIN,  
JOHN G. COSTER,  
HUBERT VAN WAGENEN,  
RUFUS L. LORD,  
JONATHAN GOODHUE,  
NATHANIEL WEED,  
D. W. C. OLYPHANT,  
JOHN P. STAGG,  
JOHN W. LEAVITT,  
PHILIP HONE,  
THOMAS BROOKS,  
EDWARD G. FAILLE,  
DAVID LEE,  
JOHN HAGERTY,  
FANNING C. TUCKER,  
JAMES BOORMAN,  
GARDNER G. HOWLAND,  
CHARLES H. RUSSELL,  
ISAAC CAROW,  
JOSEPH KERNOCHAN,  
JAMEZ BROWN,  
JAMEZ G. KING,  
JOHN A. STEVENS.

Before the preceding report had been read and unanimously accepted, by the meeting (more than 3,000 in number)—

John A. Stevens, a member of the committee, came forward, and, in the name of Albert Gallatin, esq. their chairman, presented the report prepared by them. The advanced age and feeble health of Mr. Gallatin, he trusted, would be a sufficient apology for the absence of that gentleman, who was particularly desirous on this occasion to meet his fellow citizens, and, by his presence, bear testimony to the deep interest he took in the present momentous state of affairs. Philip Hone, after some preliminary remarks, read the report. Pelatiah Perit, esq. then offered the following resolutions:

1. Resolved, That this meeting, concurring in the views and opinions of the committee on the causes of the present distress, its proper remedies, and the measures of alleviation they have suggested, approved and adopt this report.
2. Resolved, That the city banks be requested to take into earnest consideration the several propositions submitted to them by the committee, and to adopt all the measures founded on mutual forbearance and assistance, and on concert and harmony of action, which may enable them to afford the greatest relief to the community.
3. Resolved, That it be earnestly recommended to the board of brokers to discontinue, in compliance with public opinion, sales of stocks on time, in the manner proposed by the committee.
4. Resolved, That the thanks of this meeting be given to the union committee for the faithful discharge of their duties to this time, and that they be requested to continue their patriotic labors and to report further to a public meeting, or otherwise, as they may deem expedient.

After some remarks by Mr. Perit, the resolutions were unanimously adopted.

Then the following resolutions, sent to the meeting by Albert Gallatin, esq. were proposed in his absence by John A. Stevens:

1. Resolved, That the removal of the public moneys from the place where they were by law deposited and declared by a late vote of congress to be perfectly safe, in virtue of the sole order of the president, issued only two months before that body was again to assemble, and with the avowed object of being enabled thereby to interpose his veto, if congress persisted in its opinion;

The unexampled interference with the officer to whom the public purse is intrusted, in the performance of duties by law exclusively assigned to that officer;

The appointment, during the recess of the senate, of a temporary officer, for the special purpose of doing an act, which no secretary of the treasury regularly appointed with the advice and consent of the senate would have performed;

Are an abuse of the powers vested by the constitution in the president, and encroachments upon the legislative authority of congress, upon the laws and upon the constitutional participation of the senate in appointments to office, which, unless arrested, must give to the president alone, the exclusive control over the public purse, over the currency, and over private and public credit.

2. Resolved, That these acts, and others of a similar description; the frequent and indiscriminate use of the president's veto; his belief in his own infallibility; his fixed determination that his will alone shall govern; the avowal that, whatever that may be, he must at all events, be sustained; or, in other words, "that the king can do no wrong"; the substitution of the worship of a man for our ancient notions of entire freedom of opinion and love of liberty, are subversive of the principles of our Institutions, and tend, ultimately, leaving us hardly the name and form of a republic, to convert it substantially into a monarchy.
3. Resolved, That there is a redeeming spirit in our free and glorious institutions, which guarantee their perpetuity; and that, for the true and only remedy, and with a perfect conviction of ultimate success, we fearlessly appeal to "the people of the U. States," our and their own legitimate sovereigns.

All which were unanimously adopted.

Hundreds of meetings of the people are yet just held or holding to adopt various proceedings with relation to the state of the currency, and effect a return of the public deposits. They sometimes meet in huge masses. The anti-bank meeting at Albany was succeeded by what is said to be a much larger one on the other side; and the spirit of it is running through the west with extraordinary rapidity and force. Similar meetings are going on, especially in Massachusetts, Vermont, Rhode Island, Connecticut, New Jersey and Pennsylvania, and a good many in Kentucky, Ohio, Virginia, N. Carolina, Mississippi, Louisiana, Alabama, with some in nearly every other state. The movements of the people have no precedent in our country—nor perhaps, in any other; but we regret to believe, that, comparatively speaking, the pressure is only just beginning to be felt. There already has been some occasional relaxations, and others, it is to be hoped, will happen, else "credit must perish," and one wide ruin over-shadow the whole land—which ought to be bright and flourishing and happy, as it was until politicians meddled with the currency.

A STATEMENT OF THE SITUATION OF THE BANKS IN THE CITY OF NEW YORK.

1st October, 1833.		1st February, 1834.		19th February, 1834.		18th February, 1834.	
Capital.	Loans and discounts.	Public deposits.	Individual depositors.	Bankers' deposits.	City banks' notes and checks on hand.	Specie.	Including all the city banks, and the United States branch.
6,051,000	9,189,153	4,130,322	5,896,416	1,194,117	1,316,688	512,937	208,925
9,619,000	18,467,259	4,130,322	5,884,713	3,776,189	3,028,355	816,547	392,077
2,500,000	6,180,833	4,130,322	1,354,256	982,217	608,031	2,008,423	601,002
18,161,000	33,877,245	4,130,322	10,135,385	5,922,523	4,953,074	3,337,407	601,002
19 (complete) banks.....	1,900,000						98,000
1 bank (1st Jan. 1834).....							636,602
90 banks (loans).....	18,361,000	34,523,169					
1st February, 1834.							
The 3 selected banks.....	6,651,000	13,769,552	4,946,326	3,228,883	1,345,145	776,270	123,398
13 other city do.....	9,610,000	18,593,692		5,925,689	3,287,671	2,480,303	522,872
U. States branch.....	2,500,000	6,458,540	258,350	1,081,421	975,407	490,539	572,193
19 (complete) banks.....	18,161,000	38,591,144	10,245,993	5,608,223	4,110,701	3,403,022	376,270
2 banks (19th Feb. 1834)	700,000						572,193
91 banks (loans).....	18,361,000	39,722,287					948,463

1834 February, 1834.

Apparent circulation of 19 city banks.....\$4,740,813

Actual circulation after daily exchanges.....\$3,038,330

\*Including \$233,000 loaned out of the state.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 6—VOL. X.] BALTIMORE, APRIL 5, 1834. [VOL. XLVI. WHOLE No. 1,176.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ We publish this week a large collection of scraps, illustrative of the present state of the currency and of the times—useful for present notice, and important to the history of “the experiment” that is making.

An abstinence from the publication of any long article this week, has given to the present number of the REGISTER a great variety of articles, though most of them relate to the all-engrossing subject—the state of the currency, and the pressure on the money market. The special message of the governor of *New York*—the account of the great meeting at *Philadelphia*, and the letter of Dr. *Macneven*, will claim much attention. Dr. *Macneven* is among the last survivors of the grand rally of the Irish patriots, and of the associates of the *Emmets*, the *Orrs*, the *Tandys*, the *Keoghs*, the *Currans*, the *Sampsons*, the *Tones*, the *Rovans* and the *Moorees*, and others—a race of giants in intellect, with a purity of principle and firmness of purpose, worthy of leaders in a sublime contest for genuine liberty. In early life, we had the pleasure of being personally acquainted with three or four of those named, and considered them as among the most splendid specimens of the human kind that we had ever met with. But Dr. *Macneven* needs not our humble testimony of his devotion to democratic principles—and the power which he possesses to support them, will be seen in his letter.

It is added that counsellor *Sampson*, and others of like high character and standing, agree with Dr. *Macneven*.

Baltimore has met with two severe losses within a week. On Monday last, the remains of *Talbot Jones*, esq. were returned to the earth, and on Thursday night *Alexander Brown*, esq. died! These were two of our oldest and most valued merchants—persons beloved for their private virtues, and esteemed for their public conduct. The first was among the most extensive of our traders with the interior; the second of the most important in our relations with Europe. It was the house of *A. Brown & Sons* that took the late loan required by the state of Maryland of 500,000 dollars, and if he, the deceased, had not moved in that business, it is said that 1,000 poor laborers on the Baltimore and Washington rail road would have been discharged—and, at a time like the present, to suffer!

We present you, *Marcy's* special message to the legislature of *New York*, and submit it to the cool consideration of our readers whether he is not at the “head of the heap” of the “panic makers?” What is it?—to borrow money, in fact, on the credit of the state, in Europe [foreign money] to lend to the banks in the city of *New York*, that they may lend to the country banks, that they may lend to the people! If “all who borrow money ought to break”—here is a “pretty kettle of fish,” and a big one too! And what are the “four or five millions” proposed to be borrowed? As the “small dust of the balance!” The banks in the city of *New York* have lately increased their discounts 3½ millions, and the money-pressure increases! And it will, until CONFIDENCE is restored. We have money enough, and, with confidence, would soon have credit enough.

[We have since received the report of a joint committee of the legislature of *New York*, to whom the governor's message was referred, and shall insert it next week. It concludes with a bill providing for the creation of a five per cent. state stock, amounting to six millions of dollars, redeemable in twelve years. Four millions of dollars of this stock is proposed to be loaned to the banks in the city of *New York*, and two millions to be sent to the loan offices in different parts of the state, to be loaned when the supervisors of the respective counties determine that they are in need of such aid. It also provides for a board of officers, &c.

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This novel and very important measure has, probably, been already passed into a law!—for the first section of it was passed by the assembly before certain of the members had had time to read the bill. For whatever reason these things have taken place, we think that every reflecting friend of a sound currency will view them with alarm. The precedent is dangerous—the practice altogether unsound—in our opinion; and we think that this is a subject on which we have some right to have and express an opinion.]

We have received the officially published lists of names attached to the petitions from Baltimore, for and against the restoration of the public deposits. We observe many mistakes of the printer in spelling them—but they are unavoidable.\*

These lists of names have been looked over, and we note the following facts: to the petition for a restoration of the deposits there are signed 183 business firms, of which number 176 are known to us: on the other there are only six business firms, of which only one is known to us.

Of the first hundred names on the petition for restoration, eighty-four are those of persons known to us—and of the remaining 16 there are several so misspelled that we cannot surely identify them. On the other list, of the first hundred names only twenty-two are identified as being known to us.

Of the last hundred names on the first list we know fifty-one persons answering thereto—of the last hundred names on the second list we can, in like manner, identify only seven persons.

Each page of the lists contains about 150 names. Let us see how this sort of knowledge extends to some of them, taken at random.

On the 2d page of the first petition we know one hundred and seventeen persons and firms, as they are put down: on the same page of the second list we know only eleven persons.

On the 7th page of the first list we know 66 persons—on the same page of the second list no more than 8 persons.

On the 12th page of the first list we know 93 persons—on the same page of the second, we cannot undertake to say that more than three persons are identified by us—though the name of “*Martin Van Buren*” is on this page!

On the first list one person has made his mark with an X, and six names were “illegible;” on the second, 24 are marked with a cross X, and 27 are reported “illegible”—six being in “German.”

The last petition has the names of “*Geo. W. Freas, esq.*,” “*Stephen Gates, esq.*,” and “*John Freas, esq.*,” We have not the pleasure of being acquainted with either of these esquires.

Such are the results of a hasty examination. We do not pretend to perfect accuracy, but are sure that no great mistake has been made.

We have been doing business in this city since 1798, and came hither permanently to reside in 1805, and have mixed much with the people since the latter period. We refer to individuals, in both cases, that are personally known to us, or whom we otherwise know are in the “land of the living,” and can be found.

If the decision of the question concerning the public deposits were left to the judgment of the business-men of Baltimore, at least seven-eighths would say, restore them! And if, with the knowledge obtained through experience, they were called upon to decide, shall the deposits be removed? we think that 49 out of every 50

\*It is impossible to decipher many signatures—for many, like ourselves, have acquired a wretched habit of making certain marks, standing for our names, that are unintelligible to persons not familiar with them.

would give a loud and emphatic negative. Indeed, we can sincerely say that we have not met with a single man who, when pushed to give an *honest* answer, that has not pronounced the measure an unwise one—a "mistake;" but, as it was done, why—it couldn't be retired from, some said; i. e. the party must not waver in a course admitted to be unwise, though ruin shall follow a perseverance in it! By business-men we mean merchants and other dealers, shop keepers, mechanics, of all sorts, employers and journeymen, artists and trades-people—property holders and rent payers, and all persons who have had a settled home and citizenship with us two years, excluding however office-holders, who feed at the public crib, and the *misérables* who hope to get their share of the fodder—for all these like "mother Carey's chickens," lean, lank and hungry, delight in the storm. It is their "glory" to be in the whirlwind!—they have every thing to hope for, and nothing to lose.

Mr. McKim represents the 5th congressional district, which is composed of the five first wards of the city of Baltimore, and the county of Anne Arundel. At the late election the votes stood thus—

	McKim.	Stewart.
5 wards of Baltimore	2,049	1,678
Anne Arundel county	1,132	1,114
	3,181	2,792

Now an instruction has been forwarded to Mr. McKim that he shall vote for a restoration of the public deposits. The exact number is not known to us—but it has been signed by more than 3,300 voters of the district—not persons who appear on an election-day and are not thereafter at all to be found; but individuals who have fixed residences with us, and probably being not less than three-fourths of the business-men, with the same proportion of the stationary and regular working people, mechanics or farmers, &c.

The committee who had this matter in charge, are honorable men. They personally obtained most of the names subscribed, and declare, that, to the best of their knowledge, there is not one person on the list who is not a voter of the district—and, as the vote, as stated above, was a high one, (5,973) it unquestionably appears that there is a clear majority of several hundred votes in favor of a restoration of the deposits,\* and yet several populous districts had been neglected by those who had them in charge. Indeed, we understand that in the 3,300 is not included any names from the city of Annapolis, and from a whole election district of Anne Arundel county.

[P. S. As this paper was going to press we are told that the signers of the instruction, compared with the whole number of votes shew a majority of 715! Others lists were expected.]

The New York papers are filled with accounts of ward meetings, and meetings of different trades, or callings, to bear upon the ensuing election of corporation officers. Never before were such movements made in that city! For instance, a meeting of the *carters* opposed to the removal of the deposits, &c. was called by 300 or 400 of them, the numbers of whose carts being attached to their names—and there has been such another call and meeting of *landlords* and *scamen*—another signed by one hundred and eighty stone cutters, &c. &c. Powerful committees have been appointed on both sides—for an example, the anti-Tammany carters have appointed a committee of twenty to attend the polls of each ward, (dressed in their frocks), during the whole period of the election; and it is recommended that the friends of a restoration shall close their stores and work shops that they may attend to the business of the election! The "Tammanies" are equally busy. They have the benefit of an old organization—the respect of party for "regular nominations," an army of officers of the U. States, and of the state and city of New York of about 1,500 men, who have many dependents, whose *persons* and *purses* are at the command of the party, and the "spoils" amount to a million of dollars a year! All these will be on "duty." Besides this the "Tammanies" have that powerful in-

\*Whole number of votes 5,973—the half of which is 2,986, or less by 300 than the number of the signers. The districts not heard from might have easily furnished from 4 to 500 good names.

fluence which proceeds from the possession of former majorities of about six thousand votes. Mr. Verplanck, late a member of congress from that city, is the candidate of the "independent democrats" for the mayoralty, and Mr. Lawrence, a member of the present congress, will be supported by the "Tammanies." Mr. Lee, the present mayor, declined a poll.

The excitement is not confined to the city of New York. Great masses of the people have met at Albany, Troy, Utica, Rochester, and, indeed, in most of the chief towns, and warmly expressed their feelings against the removal of the deposits, &c., and the local elections held in Poughkeepsie, Hudson, Newburg, Seleneetady, Rhinebeck, Claverack, Lansinburgh, &c. shew the effect of this excitement. The first for example, had a "Jackson" majority of 150 last year, now of 144 anti-Jackson.

At one of the great meetings lately held in New York, fifteen associations of different mechanics, &c. connected with commerce, sent in resolutions against the measures of the general and state governments.

A friend has asked, why we fixed the commencement of the "experiment" as the period at which we supposed it possible the bank of Maryland might fail any day, as stated in our last—saying that its issues had long before been excessive. In return, we said,—“We also so believed—but until the removal of the deposits, money was 'plenty,' and confidence great; and, in case of a pressure, it was easy to obtain redeeming funds on good security offered: soon after the credit of the best of our citizens availed little, and money became scarce.” We reasoned on this subject as Mr. Duane had done in his letter to the president of July last—though then we knew not that such a letter had been written—but supposed that every one who had considered the nature of the currency held the opinions which we oftentimes freely expressed, and also acted upon, to a considerable extent. There are several who will bear testimony that we cautioned them against entering into new engagements to pay money, if rightfully to be avoided—until the effects of the removal of the deposits should become manifest to them.

The pressure on the money market does not arise from any real scarcity of money, nor has it any sort of connection with the management of the affairs of the bank of the United States—unless local. 1. The specie capital has, probably, been increased more than two millions since the 1st October last, and there is no demand for money abroad, exchange being really 8 or 9 per cent. below par; and besides, the reduced price of almost every commodity has lessened the want for money to make purchases, in the amount of tens of millions of dollars. For instance, a cargo of 1,000 barrels of flour may now be obtained for 4,000 dollars, which would have cost 5,000, a little while ago—and 1,000 dollars less of money, or credit, is needed to carry on this small operation; and when we regard the diminished value of cotton, tobacco, rice, lumber, &c. &c. it may be easily believed that many millions less are now needed than were required before the "experiment" began. This is a matter of considerable importance, and the political economist will easily appreciate it. 2. But—while the bank of the United States has increased its circulation, and the line of its discounts is not reduced so much as that of its deposits, it appears by the report of the New York committee, inserted in the last REGISTER, that the banks in that city (for an example) including the office, have increased their loans more than \$3,500,000—Feb. 19, 1834 being compared with 1st October, 1833.

Why then is money "scarce?" It is because confidence, the corner stone on which a wholesome currency rests, has been destroyed by a wild "experiment," and the hostile attitude which "the government" of the U. States has assumed against the bank; whereby industry is paralyzed, new enterprises abandoned, the circulation of money rendered a sluggish one, and a thousand bankruptcies happened. And so it is—that though money is really more plentiful than it was in October last, and though much less of it is needed to carry on the operations of business, than before the removal of the deposits—there does not appear to be a circulating medium sufficient to satisfy the common wants of the people! We foresee

\*This paradox is solved in the effect before us.

these things—they appeared as plain to us as they appeared to Mr. Duane\*—and on this principle it was that we thought a failure of the bank of Maryland might happen on any day since the 1st October, 1833.

By the vote in the senate on the 25th ult. see page 83, it will be seen that Mr. Taney's reasons for removing the deposits would have been pronounced "unsatisfactory and insufficient" thirty to eighteen, had Messrs. Bell and Chambers been present, in the senate! We are inclined to believe that never before since the organization of the government of the United States, has so large a majority appeared in the senate against any leading measure of the executive branch of the government. And the present senate has a decided majority of those who were among the powerful supporters of the first election of general Jackson to the presidency.

The history of the existing administration bears an extraordinary character—one that has no parallel in our

\*The 4th letter of Mr. Duane addressed to the people of the United States contains a letter from him to the president dated July 10, 1833, from which we make the following brief extracts—a part of which we have taken the liberty to present in italics. "Credit, like female fame, is of such a peculiar nature, that its blossoms may be blighted even by the breath of inquiry; what then, might not be the consequence of the blast of the indignation of government against an agent, in whose interest it was itself so deeply concerned? Much more trivial changes than that proposed by the president, have produced great commercial convulsions. Such a measure, as is urged, would be regarded by the bank, so decidedly hostile, as to afford it an excuse to shake the fabric of credit, for the purpose of throwing odium on the government, and producing a persuasion, that in the extension of the charter would be found the only remedy for the mischief. That it would not hesitate to do so, the president believes—that it ought not to have an excuse for doing so, the undersigned is certain.

"It is, indeed, mentioned, in the letter of the president, that the United States bank will not be able to effect any such purpose. But the undersigned is not satisfied, that an institution with so large a capital, with branches at so many important points, acting with one accord, and for a single end, with specie equal to half its circulation, has it not in its power to affect the operations of local banks, with specie equal to about a sixth of their circulation only. If the bank is really so harmless as this part of the president's letter supposes, then the alarm that the undersigned has at all times entertained, at the existence of such a power, is unfounded, and one of the most serious objections to the renewal of the charter is obviated. But the undersigned is not able to arrive at such a conclusion; he is convinced that it is in the power of the United States bank, so organized and so secured, grievously to affect the local banks and the community; the undersigned thinks that the trial ought not to be made.

"Beyond doubt, the power of the United States bank to control the local banks, and, through them, masses of the people, and through those masses, some of the constituted authorities of the country, is of such a character and tendency, as to excite alarm. But the very existence of such a power teaches extreme caution—such an adversary should gain no advantage from an abortive experiment to limit its influence.

"The struggle to be made, is not to see, which can do the other the most harm, the government or the bank. The government has but one duty to execute, to inform the people and their representatives of the apprehended danger. It is not called upon to maim the bank, lest the bank should master the country. In any attempt to maim, the agents of the bank would be those likely to escape: the wound would be felt in the cottage of the farmer, rather than in the palace of the banker.

"On the other hand, if the suggestion of the president is sound, that the United States bank dare not operate oppressively, because the state banks having government deposits, might run upon the branches, then there is a check at all times, in the hands of the government; and the bank, during its legal existence, will be careful not to do or omit, what might warrant a total removal of the deposits.

"So that the United States bank is represented by some of the local banks as an engine so powerful as to be an object of universal alarm; and, the next moment, so utterly feeble, that by the simple operation of a treasury order, the entire branches may be broken up one after the other, and the paper flung upon them in masses, which they will not be prepared to redeem! Which of these is the true picture? If a treasury order has such talismanic influence, can there be a better pledge for the safety of the public deposits? But, if it has no such power, is it discreet to commence the war? In all such calculations, as those referred to, the flinging back masses of bank paper, and breaking up the branches, are items, that seem to have caused no compassion for the ultimate sufferers. It appears to have been forgotten, that a large portion of the good and pure people of the land would be ruined—and why ruined! because the government of their country had put the power to ruin them in the hands of corporations, intent alone upon their own aggrandizement!—Whether it is wise to make such experiments, the undersigned, with confidence respectfully submits."

annals. The vice president, with the secretaries of state, war, navy and attorney general, and we think, also, the postmaster general, (which takes in all the "cabinet proper," except the secretary of the treasury), were of those who most decidedly rejected the "pretensions of Mr. Jackson" in 1824—but the latter supported them out of opposition to Mr. Adams, because that he, in the opinion of Mr. Taney, had deserted the federal party; and, if we are not mistaken, there is not, in what is called the "kitchen cabinet," more than one "original" friend of the general! The "eleventh hour men" have gathered the "spoils of the victory" gained. And of the eighteen senators who voted on the occasion above stated, we can count up five or six, and, perhaps, there are more, (for we do not know the original opinions of several of them), who stood in the same hostile position, even at the election of 1824.

And again—with the exception of the "force bill," which depended on other considerations than such as related to the support of the executive, (for it was carried by the votes of the opponents of the administration), only one favorite measure of the executive (the Indian bill) has been sanctioned by congress, and that by a weak majority (obtained we shall not say how), though in both houses there were large majorities of loud and lusty professing friends of the president. The exercise, however, of the hateful and despotic power of the veto, a power which a king of Great Britain has not dared to exercise for centuries, has placed the will of the senate and house of representatives at defiance, with respect to certain of the most important acts ever passed upon by these legislative bodies;† the first representing the states and the second the people.

Every one may make for himself reflections of the simple, but singular, facts presented. Never since constitutional government began has the like happened before—never will they happen again.

With the result above stated, will Mr. Taney restore the deposits, or retire from the place which he holds?

It is stated in the official "Globe" that the president will not receive any more committees, sent by the people to carry their petitions to Washington, praying for relief from sufferings inflicted by the acts of "the government." And on this subject the "by authority" paper, at Philadelphia, the *Pennsylvaniaian*, observes—

"Would not the uses to which the bitter enemies of the president pervert every thing which falls from his lips, justify him in closing his doors against the intrusion of the vulgar herds that daily infest his apartments?"

Who is the editor of the "Pennsylvaniaian?"—a foreigner or a native? We must suppose the former, and of a fresh importation, and hardly naturalized—certainly not civilized. "Vulgar herds" of the people!‡

\*Albany Argus.

†All the great Pennsylvania measures have gone by the board—

1. Internal improvements;
2. The protection of the national industry;
3. The bank of the United States;
4. The public land bill, as proposed by Mr. Clay.

All which had had the almost unanimous support of the politicians, as well as of the people of the state.

The 1st, 3d and 4th were put down by the veto of the president—the 2d partially yielded because of a justly entertained belief that the party in power would wholly destroy it.

‡Doctor Franklin in his historical review of Pennsylvania, holds the following manly and spirited language, in relation to the refusal of the proprietaries to receive "deputies from the people who asked for a redress of grievances.

"No king of England, as we can remember has ever taken upon himself such state, as to refuse personal applications from the meanest of his subjects. Even sultans, sophies and other eastern absolute monarchs will, it is said, sometimes sit whole days to hear the complaints and petitions of their very slaves; and are the proprietaries of Pennsylvania become too great to be addressed by the representations of the freemen of the province? If they must not be reasoned with, because they have given instructions, nor their deputy because he has received them, our meetings and deliberations are henceforth useless, we have only to know their will and to obey."

Dr. Franklin concludes his review with the following advice to the proprietaries, "that if they follow the advice of Rehobam's counsellors, they will, like him, absolutely lose, at least, the affections of the people. A loss, which, however they affect to despise, will be found of more consequence to them than they seem at present to be aware of."

We are not disposed to find fault—but claim, and will enjoy, the right of uttering the thoughts of our heart, in respectful terms, on all occasions. "Truth is a victor without violence."

Is it true that the *acting* secretary of state, and *acting* secretary of the treasury, have not yet been nominated to the senate? Did it ever happen before, that a congress had been *four months* in session, and two appointments by the president, of officers of such high dignity, *remain in office, unapproved by the senate?* We think not—and one of these important appointments, at least, would have been promptly ratified, *by the concurrent power*, if it had been offered for approval.

If we regard the power of the president, in the recess of the senate, to appoint persons to office, as being absolute—it is not less clear to our mind, that, while the senate is in session, such appointments are only *acting*, unless they are ratified. Such was the principle and practice of the *old* "democracy."

The reduced price of commodities and of wages, with the discharge of thousands of persons from employment,\* have a powerful tendency to relieve the pressure of the money market on *business-men*—but at the cost of producers, farmers and other working people, in great sacrifices of private comfort and of the public good. Wheat, at Zanesville, Ohio, was 44 cents per bushel, on the 26th ultimo—at Batavia, Ohio, 37½ cents—flour at Cincinnati 275 @ 287½; and the Hudson, (N. Y.) Republican says that two of the cotton factories at *Kinderhook* have stopped work—that a large quantity of butter which had been sent to New York from Poughkeepsic, had been brought back, because a market could not be found for it—and that hay had been sold in the city of New York at "two shillings and six pence," that is, 31½ cents the 100, equal 6½ dollars the ton—adding that a quantity shipped from Catskill and Athens, (towns on the Hudson river), had been brought back. *Bring back hay one hundred miles?* But such things must reduce the amount of money wanted—at whose cost?

The state of things at *Providence* and its neighborhood may be partially estimated from the following brief notices of a memorial about to be presented to congress from the mechanics and artisans, a convention of whom (298 strong) was held a few days ago:

50,000 spindles are already stopped, and so have many of the machine shops—as for example, 2,475 tons of iron was used in the last year, but the present rate is less than 350 tons per annum—300 men were employed in the furnaces—now only 50. At this time last year, contracts for lumber amounting to \$70,000 had been entered into—now only 1,400 dollars. The master builders are now without contracts, and so forth.

A profligate idea has been thrown out that if the senate and house of representatives shall not agree on the time of adjournment, the president will dissolve the "refractory" body! If so—this is the last congress that will be held under the present constitution. †

A Canada paper says—"Under the monarchy of England, the right of petition is held sacred. However tumultuous, or even dangerous the crisis, the avenues to the throne are kept open that the voice of complaint may be heard. In Denmark, we have been recently informed by Mr. Wheaton, the American charge, where the government is an absolute monarchy, the king holds open court every Monday, where he receives petitions and applications for redresses of grievances from every class of the people, from the lowest to the highest. All approach his majesty freely, and are received with the utmost courtesy and attention."

\* They were often discharged by hundreds at a time.

† Mr. John Quincy Adams, in some late remarks in the house of representatives, said, among other things:

"It has, indeed, been freely surmised around this capitol, and circulated in whispers within this hall, that congress itself is not to be indulged with a session unreasonably long; but, when the deliberations of the house shall be sufficiently matured, according to the judgment of the chairman of the committee, then, by his fiat they are to cease, and as we have not had examples sufficiently signalized with arbitrary power, a disagreement is to be gotten up between the two houses of congress, in the result of which this house—the immediate representative body of the whole people of this union—is to be made the servile instrument of ministering to another exercise of royal prerogative."

The Philadelphia papers say—We understand that the Girard bank redeems the notes of the Union bank of Tennessee made payable at the bank of Maryland; and that funds amounting to 100,000 dollars have been received for that purpose.

We lately published an article on the circulation of values; and see it mentioned that at the Suffolk [Boston] bank, the exchanges were eight millions in the last year, of country notes only.

In former times, the *fashion* of bank-making was, that those who had money associated that they might *lend* it; but the fashion has latterly been for those who have not money to make banks, that they *borrow* its credits! Indeed, in times not long past, associations of knaves were made, who, among them all, had not money enough to pay for the paper and the plates for the purpose of making it, until they had in circulation a sufficiency of their own *manufactured rags!* As the beginning of such banks was rags, so will the end be. Are we not to have another huge crop of "rag barons?" Well—if so, we are ready to fight them again!

In 1826, Martin Van Buren, W. L. Marcy, B. F. Butler, C. E. Dndley, N. Sanford and others, the chiefs of what was called the "regency," very earnestly petitioned the bank of the United States to establish a branch at Albany; and, among other inducements, said that the local situation of that city "would, in a great measure render the bills of a branch established there the circulating medium of the extensive regions whose produce would be brought to that market!" If the bank is an "unconstitutional monster," these gentlemen, surely "committed" themselves wofully.

A letter from a gentleman of *Ohio* to the editor of this paper, after speaking of the general distress, says—"I will state to you a single fact with regard to myself (and I am only one of thousands in the same situation)—I am, and have been for several years, doing a considerable business, and have now on hand 5,000 dollars worth of wheat, at its average cost to me of 57 cents a bushel—but the best offer that I can get for it is 40 cents. The spring season has arrived, and my means to continue business are vested in wheat. Now I must submit to a loss of 850 dollars on my wheat, for which I have paid out my money for no other reason than to gratify the \_\_\_\_\_ of persons in power; for no man of common sense can deny that this state of things has been brought about by the attacks of the government on the currency. But for this, my business this season would have been as prosperous as ever."

Letters from Mr. *Black*, a senator, and from Mr. *Cage*, a member of the house of representatives of the United States, both from Mississippi, are published in the *Natchez* papers, and shew the determination of both to oppose the administration in its projects concerning the bank and the currency, &c. but neither of the gentlemen hold out a hope that relief may be expected from congress.

It is mentioned in the *Pittsburgh* papers, that reports prevailed in Baltimore prejudicial to the credit of the Merchants & Manufacturers bank. We had not, before seeing the *Pittsburgh* papers, heard of any such reports. The credit of the bank stands fair in this city.

*rogative.* I am not disposed to give credit to idle rumors, of which, there are, no doubt, now, as at all times, many in circulation without this house, and sometimes within it; but, from what I have seen and heard this morning, I cannot but cast, within myself, ominous conjectures upon the humiliating uses, of which this house is to be made the submissive instrument."

Mr. *Wile*, said—"In the opinion of his honorable friend from Missouri, (Mr. Ashley), that we ought to proceed to the appropriation bills, he could not concur. The moment these bills were passed, congress was no longer necessary to the "government," and there was a measure—which might be resorted to—which had been mooted—and which would effectually preclude all further discussion, as the favorite remedy of the majority for that great evil, *freedom of debate*. He need not be more explicit. Every one understood him."

We have *astounding* accounts of the product of certain of the gold mines in Virginia! Some of the rock ore of Mr. Boocker's mine is said to be worth from 250 to 300 dollars a bushel; other parcels weighing 100 lbs. worth 1,000 dollars! The mining business is also said to be good in North Carolina, as a regular employment.

The extra allowances made by the postmaster general to contractors for carrying the mail, though often slightly spoken of, have not yet excited much attention—the public mind being filled with other and more immediately important matters. The committee of the senate, however, will soon present as full a view of the affairs of the department as circumstances will permit.

The "Telegraph" of the 28th ult. gives a list of ten or eleven different contractors in Virginia, who have received about \$60,000 for extra allowances, on contracts which amounted to only about \$90,000! One of these, Mr. W. Smith, editor of a paper published in Culpepper, has three contracts, for a compliance with which he was to have received 8,100 dollars—but the extra allowances made him are presented in the sum of 9,550 dollars, or nearly 120 per cent. for extra services!

It will be seen in the proceedings of congress, that Mr. Blair, of the house of representatives from South Carolina, is dead. He shot himself, in a fit of insanity. He was one of the stoutest men that we ever saw.

A young Baltimore mechanic named James Mills, made a beautiful ascent from Federal Hill on Wednesday evening last. It is thought to have been a more splendid one than either of Mr. Durant's—but we are rather "used" to such things. The balloon, and all the preparations for the voyage, were made by Mr. Mills himself. He ascended a little before 5 o'clock, and landed at the Bodkin—16 miles, in 70 minutes after his balloon was let-go, without accident or injury.

Canada remains in a very agitated state—the representatives of the people resisting and protesting against the acts of the governor-general, against whom they were also preparing articles of impeachment.

Two Austrian frigates have arrived at New York with 245 Polish exiles. They have come to us in evil times. Thousands and tens of thousands of our own people are hard put to it to get a living, and make heavy claims on those yet able to do deeds of charity. The Poles at Harwich, in England, and Havre, in France, and also 212 who lately arrived at Portsmouth, Eng. on their way to the United States, have obtained liberty of the French government to settle in Algiers. There is a great field for honest labor in that country—as well as military employment, if preferred.

At a great riot among the Irishmen employed on the canal making near New Orleans, they had the presumption to resort to force, and to fire upon the city-guard sent out to restore them to order! They were quickly fired upon in return, and some of them wounded—and 23 leading ruffians were made prisoners. They had committed very great excesses. Such poor men, made mad by oppression at home—too often have to be brought to the necessity of submitting to the law in America. It is a misfortune that they are employed in masses. Separated, they soon learn to reason—if disposed to listen to its dictates. The time was when every good American citizen considered himself as a special constable to preserve the public peace. We hope that that time will return to us!

#### THE BANKS—THE CURRENCY AND THE TIMES.

Among the curiosities of the present times is the publication of a letter signed Reuben M. Whitney, in which he denies a statement made concerning himself by WILLIAM J. DOANE!

Meetings of the people, because of the embarrassments of their business and on account of the general ruin which seems to impend, are yet holding, in undiminished numbers, and in many cases attended by persons who were among the most ardent supporters of the present administration. They assemble in multitudes. More than three thousand attended a meeting at Newark, N. J. and great movements have lately been made in the rich and populous western counties of New York. The

truth is every where becoming manifest, that it is the war of politicians against the bank of the United States, which has caused the oppression under which the people "groan."

Petitions have been presented to the legislature of Pennsylvania, praying for the interference of the state to prevent Gen. Jackson from assuming despotic power!

The best flour was recently sold at Maysville, Ky. at 24 dollars per barrel. Great consternation among the business men of the west prevails, on account of the embarrassments and reported bankruptcies at New Orleans.

A committee of the common council of Philadelphia, appointed to inquire into the effect of removing the deposits on the interest of the city, shew a loss of the large sum of 312,304 dollars—the cost of various bank and canal stocks in charge of the city for different public purposes, being compared with the present prices of them. They also speak of the depreciated value of the real estate left them by Stephen Girard. They advise that the city councils shall petition congress, praying for a restoration of the deposits, &c.

We hear of many more manufactories that have stopped work—in others a part of the working people are discharged, and those who remain have submitted to reduced wages, which are paid rather in a good feeling on the part of the employers, than in a hope of profit.

The rates of exchange are rising. "Virginia money" is at 4 and 5 per cent. in Baltimore, southern and south western 8 to 10. New York (country notes) 6 to 8 per cent. Ohio (good banks) 10 per cent. Pennsylvania (inferior) from 2 to 5. New England 2½ to 3. District of Columbia 1 to 2—unequally.

These rates of sharing are extensively paid, for the people must have "Baltimore money" to pay their notes, unless of the bank of the United States, which is "current," though issued at Portland, in the north, St. Louis, in the west, or New Orleans in the south.

In an interview of one of the committees, the president, on the authority of "Henry Horn," of Philadelphia, who, as he said, "could not lie," declared that John A. Brown, esq. of the city just named, had been "bought up by the U. S. bank, with a million dollars." But the matter charged being totally false, and without a shadow of foundation, has given rise to a sharp correspondence which will, probably, be soon laid before the public. Somebody has "fied."

The following are among the names signed to a petition presented by Mr. Cambreleng, approving of the removal of the deposits:

Billy Cahill,	Nick Corshoar,
Tom Niles,	Peter Goircrow,
Jim Crow, jr.	Bull Burk, jr.
Teddy O'Rooke,	Port Levi,
Duff Green not ded,	Bryon the Brave, king of Leinster,
Col. Pluck,	James Twaedle,
Black Hawk,	Jim Cannon,
Hurrah for Jackson,	Tim Floodily,
Peter Pocuek,	Hugh Toughy,
Peter Parley,	Peter Scrap.

A Harrisburg paper says—"The state loan, of a little more than \$75,000, was taken on Tuesday, by Mr. Moss, of Philadelphia, acting as agent of the Rothschilds, of London. The premium given, is one fourth of one per cent. or two dollars and fifty cents for a thousand dollars. The premium promised by Dr. Burden on the same loan, was thirteen and fifty-one hundredths per cent. The premium now received, is about \$1,833; making a loss to the state of more than thirteen and a quarter per cent. or a portion more than \$96,564. It is said that the Messrs. Allens, who purchased the loan of Dr. Burden, will pay the difference to the state. Whether they are obliged to do it we do not know."

It is added, that the same party has offered to take the two million loan which is required at one mill above par—that is, one dollar premium on 1,000, or 2,000 dollars in two millions! The same, at this time last year, would have been gladly taken at 130 dollars on the 1,000, or 260,000 dollars premium on the two millions. So works the "experiment"—for which the politicians of Pennsylvania have changed one of the late most cherished principles of the people of the state, and thrown up their hats. The difference is nearly 350,000 dollars against the people of the state in one year. And yet, on the 21st ult. the following resolutions passed the senate of the state:

"1. Resolved, That he present bank of the United States ought not to be rechartered by congress.

"2. Resolved, That the government deposits which have been withdrawn from the bank of the United States ought not to be restored."

The first of these was adopted by a vote of 19 to 13—the second by a vote of 18 to 14. A resolution offered as a substitute, to the effect that a bank of the United States ought to be established during the present session of congress, was lost 11 voting for, and 21 against it. Two other resolutions for the re-

\*Mr. Forsyth, of Geo. lately said in the senate, when speaking of the committees who had visited Washington—"Certain gentlemen who come here complaining of the public distress may well be compared with a Methodist preacher exhorting his congregation groan! sinners! groan!"

charter of the bank and against the removal of the deposits, were rejected—ayes 10, nays 22. Another for making the bank the depository of the public funds, was negatived by 20 votes to 12.

The project of establishing a *ten million bank* has, however, been promptly put down in the house of representatives of Pennsylvania.

The "pressure" is only just beginning to be felt, as it were, in the south-west; and many doleful letters are published from Louisiana and Mississippi. A considerable amount in draughts of the Planters bank of Natchez, on one of the banks of New York, have been dishonored and returned—the solvency of the drawer was not then doubted, but an instant regard to means forbade accommodations. "Save himself who can," is the principle on which the banks most commonly act, and now must act.

With respect to the petitions presented to congress, Mr. Forsyth lately said in the senate of the United States! "Our tables are loaded with miserable petitions, got up by miserable means and for miserable objects, and organized in pot houses."

A large part of our trade with China has been carried on by bills of the bank of the United States, drawn on London, which were better than dollars, even at Canton, without considering the risk and trouble and cost of their exportation; and with this advantage also, that if the ship, with all on board of her, goes to the bottom of the ocean, or is captured by pirates, &c. the amount of such bills are still safe for the rightful owners. Such was the credit of an institution which has been denounced as an unsafe depository of the public money!

The effect of the "experiment" on real property may be appreciated from the following—It is mentioned in the Lancaster (Pa.) Examiner, that a two-story brick dwelling house in that city, within a few doors of the court house, was offered at public sale a short time since, and not a single bid obtained! A year ago it would have sold readily for five or six thousand dollars. The like has probably not occurred before since Lancaster was a town.

It is stated that the work on the fortification, at Newport, Rhode Island, has been suspended, and a great number of workmen turned adrift. While the work went on, there was a monthly disbursement of about \$12,000, a great part of which went into immediate circulation in the town.

From what we see in the various papers received by us, it would appear that tens of thousands of dollars in draughts, drawn by certain of the local banks or others, have been protested, within the period of the past month. We frequently see the notice of fresh incidents of this kind. The state banks cannot carry on the exchanges of the country. The "experiment" has already most miserably and oppressively failed.

From seven to eight thousand spindles have been stopped on Fall River.

The economical and, heretofore, thrifty state of Vermont is in a high degree of excitement, on account of the general distress produced by the measures of "the government." The late three parties in that state are rapidly uniting into one, in a sense of common danger.

The official "Globe," lately speaking of Mr. Duane, as secretary of the treasury, and with relation to the public deposits, called him a "REFRACTORY SUBORDINATE," for not doing, at the command of the president, that over which the law gave him the sole discretion! This is the *ne plus ultra* of impudence—a submission to power that a Russian boor might blush at.

It is supposed that 35,000 bales of cotton less than in the last year, will be consumed in New England, in the present.

The petition from the 3d congressional district of Pennsylvania for the restoration of the deposits, &c. contained 4,672 names, and was 240 feet 9 inches long.

One to two per cent. premium is paid in Ohio, in exchanges of coin for the bills of the bank of the United States, and four per cent. in north Alabama!

#### BANKS AND THE CURRENCY—MISCELLANEOUS. [Deferred items.]

A late number of the Providence Journal contained ninety-nine applications, to the court of the county for the benefit of the insolvent laws.

In the present emergency, many of the wholesale dealers of Boston have entered into an agreement, not to sue for, or take security of their debtors, except in cases of clear necessity, and then only for the benefit of all the parties so associated.

The "Boston Courier" with reference to a letter published in the "Globe" as if written at Boston, which says the "money pressure is very much exaggerated," observes—"No account can exaggerate it. The types are not yet cast, that can represent things worse than they really are."

Many and heavy failures are taking place. We have no heart to give detailed accounts of them. There is another "sign of the times." It seems that the individual frauds of 1819-20, are about to be revived by persons in whom much confidence has been reposed.

Seventy protests were recorded in one bank of New York, on the 3d ultimo.

The importation of foreign goods will, probably, be very small, this spring—many orders have been countermanded, and some large lots actually sent back, rather than pay or secure the duties upon them, in the "prospect before us;" and yet all sorts of goods are very low, because of the appreciated value, and prevailing scarcity of money. Bills on England are  $\frac{1}{2}$  per cent. "below par," as it is called—that is 438 cents for the £ sterling, the legal par being 480, and the average real par, for many years past, about 458.

In corroboration of the above, a letter from Manchester, Eng. recently published in a New York paper, informs, that "an immense number of countermand orders" have just been received there. "These orders forbid the shipping of another piece of goods and direct the sale of those that are ready for shipment. And adds that, as money is plenty in England at 3 per cent. the writer hopes that it may be employed through private bankers in the United States. This would be a thriving business just now. Several millions sterling might be loaned out on the best possible security at 12 per cent. per annum, or more.

Ten new banking institutions with an aggregate capital of \$4,400,000, were incorporated at the late session of the legislature of Ohio. The bank of Kentucky, just incorporated, is to have a capital of five millions. Indiana has also established a state bank. Very strict conditions appear to be provided for the good and safe management of these institutions. A friend has transmitted to us a very interesting view of the organization of the latter, which we shall yet endeavor to make a place for, at a future day. A ten million bank is asked to be incorporated in New York—half of the stock to be held by the state. "The project is said to embrace a borrowing of money from foreigners. Ought not such a bank to "break?" But if all persons who trade on borrowed capital should break, how many dealers would stand firm? The members of the first congress and president WASHINGTON, were the fathers of the credit system in the United States, by allowing time for the payment of duties on goods imported, and the avowed object was to furnish a borrowed capital to favor the merchants and dealers. And even yet, though the period of the credits on duties has been considerably reduced, the United States is a great lender of capital—for the duties pass into the value of the goods when sold by the merchant, in the same manner as his own original investment of money in them.

It is said that the safety fund banks are rapidly reducing their discounts.

At Boston the tariff of bank notes was as follows on the 10th ult. Bills of the banks of New England (generally) par—of New York city 1 per cent. discount, others of New York 3&5; New Jersey 5&10; city of Philadelphia 2; of Baltimore 2; of the District of Columbia 4. The eastern bankers deserve great credit for keeping their own notes at par all over New England. It is not so in any other district of country in which there are many banks, though "specie paying."

A very large public meeting of the citizens and merchants of New Orleans was held at the Planters' hotel, in that city, on the evening of the 19th ult. S. W. Okey, esq. presided. The resolutions, which were adopted with great unanimity, state that the "people of New Orleans, from a state of high prosperity, are reduced to one of misery and distress, by the pressure on the money market, which has depressed the value of produce and of real property, and increased the rate of interest to 18 and 24 per cent. per annum, which is grinding every portion of the community, and, unless relief is soon afforded, must be productive of the heaviest calamities"—and attribute this condition of things to the unfortunate collision between the government and the bank of the United States, and more particularly to the removal of the public deposits. The New Orleans Bulletin states that the assemblage was overflowing, and without distinction of party.

And a late letter says that some loans had been negotiated at five per cent. a month! And adds—it is reported that the payments to be made in this city, on or before the 3d day of April next, will exceed two millions of dollars, and that one million of dollars are due on real estate in the city or suburbs.

A letter from Pottsville, Pa. published in the Philadelphia papers, dated March 10, says—"I have been in business for many years, but I never saw such times. There is no business doing here. About two thousand men are looking for work, and every thing is at a stand. A great many men with their families have to go to the house of employment to keep from starving. Hands can be got for their boarding."

The bank committee in the senate of Massachusetts have reported that, in their opinion, it is inexpedient to grant any new bank charters during the present session.

It is stated that "one bank in N. York is in possession of two hundred and forty houses that have suspended payment since the removal of the public deposits.

The Philadelphia "Commercial Intelligencer" observes—"we have never been the apologist or champion of the bank of the United States; but now that we are struck with surprise at the blindness of those who prefer one hundred United States banks, equally corrupt, and, as organized, far more powerful. Such

an engine will be enabled to rule the country with a rod of iron; and it will be in the hands of those who will not leave it unemployed."

The cotton planting states are beginning to feel the pressure, and are holding many meetings, and petitioning for relief; say in Louisiana, Alabama, Mississippi, and some in North Carolina and Georgia.

The N. Y. "Journal of Commerce" has the following paragraph—We understand that specie has been imported from France, which cost in Paris five francs and a quarter per silver dollar, and has been paid for in bills of exchange purchased here, at a fraction less than five francs and three quarters for a dollar. This calculation exhibits the actual rate of exchange as nine per cent. in favor of this country. A favor however which costs us rather too dear. At this rate a bill of exchange on Paris which costs one hundred dollars in New York, will purchase one hundred and nine just such dollars in Paris. After deducting all expenses of freight, interest, insurance, &c. there is good room for profit on the importation. In France at this time, money is cheap and every thing else dear. Here, the opposite is the case; money is near and almost every thing else cheap; especially all manufactured articles, whether of our own or other countries. But few articles in all the range of fabrics of wool, cotton or silk can either be made or imported at this time, and sold by auction, without a loss of ten to twenty-five per cent.

It seems to have been agreed, that the "pressure" was much less heavy on Baltimore than on her sister cities—but a great deal of "unquestionable" paper was exchanged, on Saturday the 22d ult. in this city, for "money," at the rate of SIXTY per cent. per annum; and the demand was far from being satisfied at that precipitous usance. *Vires acquirit eundo!*

Doctor Franklin, in his will, providing a fund for loans to industrious young men, remarks:

"Having myself been bred to a manual art, printing, in my native town, and afterwards assisted to set up my business in Philadelphia by kind loans of money from two friends there, which was the foundation of my fortune and of all the utility in life that may be ascribed to me, I wish to be useful, even after my death, if possible, in forming and advancing other young men, &c.

"[Franklin was a fool! The moment a man borrows money that he may make money, he "ought to break." It is the "unpardonable (political) sin" to doubt this—and the proof is, that no small number of the honorable ones who "glory" in this principle, have acted upon it, and "punished" those who befriended and confided in them!]

"Hundreds of manufacturing establishments have much reduced, or altogether stopped their operations. There would be a great rise in the price of goods in consequence of such proceedings, if the people had the usual supply of money to pay for them.

There have latterly been many arrivals of specie in the United States, and more may be expected, so long as bills on London are nine or ten per cent. below par, and millions may be safely invested in the United States at from one to two per cent. per month, or 12 a 24 per cent. a year! In this condition of the country, specie will not be exported—nor will it do us much good. Of what consideration is ten millions in specie, compared with the wreck of confidence and embarrassments of the banks? The chief part of the arrivals of specie has been at New Orleans—but the want of money is severely felt in that city and its vicinity.\* And even treasury draughts on New Orleans have been sold at 2 per cent. discount at Louisville and other places on the Ohio; and notes of the bank of the United States are worth from 3 to 4 per cent. advance at sundry places on the western waters. One could hardly believe in this degraded state of the currency, unless in the certainty of its existence.

If all who do business on a "borrowed capital ought to break," the canals of New York and Pennsylvania should be filled up, as having been dishonestly made—on borrowed capital, and not yet returned. Let the wrong be quieted! Nay, the United States ought to surrender up their sovereignty to his "most gracious majesty," William IV.—for that sovereignty was won by the aid of borrowed capital. "*Perish credit!*"

The state of Maryland five per cent. loan of \$500,000, being the state's proportion of the capital required for the construction of the Washington rail road, has been taken, at par, by the house of *Alexander Brown & sons*, of Baltimore; and will, most probably, fall into the possession of *foreigners*, unless prevented by the want of confidence in American stocks. Ought Maryland to break, for thus borrowing money?

A gentleman residing near Carbondale, Pa. in a letter to the editor of the REGISTER dated March 5, communicates the following:

About six years ago, the Delaware and Hudson canal company commenced operations in this valley—at that time there only stood a solitary log-house where now stands Carbondale, which, last summer, had a population of 3,000 souls; and all things were lively, and continually pressing onward. To the

\*The "Globe" of the 10th has a paragraph which says that the deposit banks at New Orleans, "in connexion with the branch of the bank of the United States," have increased their loans in the sum of 3,189,666 dollars! Why is money "scarce?"

enlarged and enlarging business of the coal company, was added a great business doing in lumber, &c. Now the prospect a-head is oppressive in the extreme, and hundreds of laborers, miners and mechanics are wandering about, totally idle, and many of them penniless. The merchants cannot collect their debts, for the reward of labor is no longer to be found. Would that those who have caused this changed aspect of things, (says the letter) were present to witness the effect of their meddlings with the currency of the country.

The various trades connected with the manufacture and publication of books are suffering very severely. This has been a great business in the United States; and beginning with the rag-gatherer and ending with the bookseller, probably employing not less than 40,000 persons—chiefly adult males—and, perhaps, subsisting 60,000 free people.

We recently made two walks through Baltimore, and in each proceeded beyond the closely-built parts of the city—the distances, going and returning, (by different routes), being about five miles, in the whole of which we observed the building commenced of only one good house this season, and the cellars preparing for four small ones. One walk was to the east, the other west. It is well that there is a good deal of work yet to do before the houses commenced in the last season will be finished.

The secretary of the treasury has reported, in consequence of the call made upon him in Mr. Poindexter's resolutions concerning the transfer of certain deposits from the Planters' bank of Mississippi. It appears that nearly a million of dollars had accumulated in that bank, and that the secretary thought it best to transfer 250,000, each, to the Commercial bank at New Orleans, and Union bank of Tennessee, at Nashville, to be disbursed for the removal of the Indians and other expenses in the west.

The London Morning Chronicle of January 29th, speaking of the commercial distress in the United States on account of the president's hostility to the bank, observes, "while the question remains under agitation the most serious injury is inflicted on trade. Correspondents of mercantile houses here intreat them not to make any shipments whatever, as it was impossible to foresee to what extent the failures would be carried, and that it was impossible to give the usual credit to those parties who stood high in public estimation."

The Manchester (Eng.) Chronicle, in allusion to the laborers employed upon our canals, rail roads, &c. observes, "thus many of the gigantic undertakings, which gave employment to immense numbers of laborers, have been suspended. As no certain calculation can be formed of the possible extent to which matters will be carried in the United States, the export trade has almost ceased, whilst, on the other hand, the natural anxiety of the American merchants to turn their goods into money has occasioned a considerable increase in the amount of their consignments to England."

[We hope that the spread of this news by the Manchester Chronicle, may have effect to prevent the emigration or exportation of papers to the United States. We may have quite enough to do to find employment and food for our own working people.]

Mr. Beardsley, one of the representatives in congress from New York, recently said in his place—"Sooner than extend the existence of the bank of the United States, let it perish, and in its fall carry down every bank in the union. I say for one, *perish credit, perish commerce, perish the state institutions. Give us a broken, decayed, worthless currency, rather than the ignoble and corrupt tyranny of an irresponsible corporation.*"

It is stated that one of the members of the house of representatives of Pennsylvania, had openly said—"I would sooner see every constituent I have reduced to be worth but 24 hours provisions, than to see the United States' bank rechartered."

And that a person holding one of the most lucrative offices in the gift of the United States, at Boston, has declared—

"Were a torch applied to the whole line of cities on the Atlantic coast of the United States, and each one razed to the ground, the loss to the country would be of little consequence compared with a relaxation of the measures of the executive against the bank."

The favorite argument of those who advocate the killing of the United States' bank is, that it is dangerous so much commotion and distress to wind it up, it is a dangerous institution, and ought not to be permitted to exist. Now, we all know we must die, and that when the time comes there will be a great deal of grief, and perhaps distress: But who would commit suicide to avoid these consequences? No man in his senses, certainly.

Seventy notes were lately protested in a bank in Philadelphia in one day.

[If the condition of things is not speedily changed, Mr. Beardsley may be pretty nearly gratified, in the fulfilment of his imprecations.]

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TWENTY-THIRD CONGRESS—FIRST SESSION.  
SENATE.

March 28. Mr. Webster presented a memorial signed by about 2,800 of the citizens of Albany, New York, ascribing the pecuniary embarrassments of the country to the removal of the public deposits from the bank of the United States, praying for their restoration and for their recharter of the bank.

Mr. Webster accompanied the presentation with some appropriate and forcible remarks.

Mr. Wright, of New York, expressed a wish to reply to the senator from Massachusetts, in case the senator from Kentucky, (Mr. Clay), who was entitled to the floor, was willing to postpone the continuation of his remarks to another day. He held in his hand another memorial adverse to the one just presented containing the signatures of 1,700 of the citizens of Albany.

Mr. Clay said he felt some reluctance to interfere with the remarks of the senator from New York, but as he was confident he shared in the anxiety to go on with the debate on the resolutions which were the order of the day, if it met with his entire approbation, he would move to lay the memorial on the table, in order to give him an opportunity of making his remarks to-morrow. Mr. C. then made a motion to that effect, which was carried.

Mr. Forsyth then suggested to the gentleman from Kentucky to take up his resolution on the subject of the Union bank of Maryland.

Mr. Clay said he had intended to call up that resolution yesterday, but as the gentleman from Georgia was not in his seat, who he understood wished to address the senate on the subject, he declined doing so; and that he now proposed to call it up on Monday next.

The chair then called the order of the day, being the report of the finance committee on the removal of the deposits, &c. when

Mr. Clay rose and concluded his remarks.

Mr. McKean rose, at the moment when the question was about to be put, and said he should vote against both resolutions because they were censorious; but that his votes on these resolutions were not to be taken as evidence of what his course would be when a distinct proposition, granting relief to a suffering community, should be presented.

The question was then taken upon agreeing to the first of the above mentioned resolutions, in the following words:

*Resolved*, That the reasons assigned by the secretary of the Treasury for the removal of the money of the United States, deposited in the bank of the United States and its branches, communicated to congress on the 4th day of December, 1833, are unsatisfactory and insufficient.

And the question upon agreeing to this resolution was taken as follows:

YEAS—Messrs. Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, King, of Geo. Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—28.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Ala. Linn, McKean, Moore, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—18.

So the resolution was agreed to.

Mr. Clay, then, at the instance of some of his friends, modified his resolution, so as to read as follows:

*Resolved*, That the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both.

And the question being taken on agreeing to this resolution, it was decided as follows:

YEAS—Messrs. Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—26.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Ala. King, of Geo. Linn, McKean, Moore, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—20.

So this resolution also was agreed to.

[The absent senators were Messrs. Bell, of N. H. and Chambers, of Md. both of whom would have voted with the majority, in either case.]

Mr. Waggaman moved that, when the senate adjourn, it adjourn to meet on Monday; but the motion was negatived—ayes 21, noes 23.

The senate then adjourned.

March 29. Mr. Webster presented two memorials; one from the borough of Muncey, Pa. and the other from the township of Muncey creek, in the same state, against the removal of the deposits. Which memorials were read, referred and ordered to be printed.

Mr. Webster also presented the memorial of 312 inhabitants of Watervliet, New York, of the same character, and praying that their memorial may be considered as united with the one presented from the citizens of Albany, (the day before).

Mr. Webster said he would not ask for the reading and reference of the Watervliet memorial until the one from Albany should be taken up.

Memorials of a similar nature were also presented by Mr. McKean from the citizens of York, Pa. and by Mr. Tyler from about 300 citizens of the county of Culpeper, Va. which memorials were read, referred and ordered to be printed.

Mr. Kent, of Md. presented a resolution passed by the legislature of Maryland, uniting upon the senators from that state to use their best exertions to obtain from congress such a liberal appropriation of the public funds, in aid of the further construc-

tion of the Chesapeake and Ohio canal, as shall insure its completion.

Mr. Kent, in presenting the resolution, said he took great pleasure in laying it before the senate, because the legislature of Maryland have not approached congress before they had done something themselves to the purpose. They have not prayed to Hercules without first putting their own shoulders to the wheel. They have made a further subscription to the great work, and they rely on the government of the United States, who is a joint stockholder with Virginia and Maryland, to do so likewise, and he looked forward with confidence, that when the proper period arrives, the senate would not disappoint them.

The resolution was read and referred to the committee on roads and canals.

The resolution submitted by Mr. Ewing, calling for information relative to the post office department; and

The resolution relative to the lands acquired by the treaty of Dancing Rabbit Creek, were severally considered and adopted.

Mr. Benton submitted the following resolution, which was ordered to be printed:

*Resolved*, That a committee be appointed on the part of the senate, jointly with such committee as may be appointed on the part of the house of representatives, to consider and report to the senate and to the house respectively, what alterations, if any, are necessary to be made—

1st. In the value of the gold coined at the mint of the United States, so as to check the exportation of that coin, and to restore it to circulation in the United States.

2d. In the laws relative to foreign coins, so as to restore the gold and silver coin of foreign nations to their former circulation within the United States.

3d. In the joint resolution of 1816, (for the better collection of the revenue) so as to exclude all bank notes, under twenty dollars, from revenue payments after a given period, and to make the revenue system of the United States instrumental in the gradual suppression of the small note circulation, and the introduction of gold and silver for the common currency of the country.

Mr. Wilkins, from the committee on foreign relations, reported a bill extending the time for settling the claims of American citizens under the late treaty with Naples; which was read and ordered to a second reading.

Mr. Preston presented the memorial of the city authorities of Charleston, S. C. praying for the establishment of a naval hospital—referred.

Mr. Hendricks presented the petition of the officers of the army stationed at Fort Dearborn, remonstrating against the passage of the bill before congress for the creation of a provident pension fund, &c.—referred.

On motion of Mr. Wright, the senate proceeded to the consideration of executive business; and when the doors were opened the senate adjourned.

March 31. Mr. Bibb offered the following resolution, which was considered and agreed to.

*Resolved*, That the secretary of the department of state be requested to lay before the senate, as soon as practicable, all the information which has been obtained under a resolution of the senate of the 26th February, 1833, touching the population of the United States, of all kinds, native and alien, the militia, and such other statistical information as the secretary might deem useful and expedient. And particularly that he lay before the senate all the information which has been obtained under the circulars issued by Mr. Livingston, propounding queries to obtain information, as well on the subjects particularly mentioned, as upon the subjects confided to his discretion by that resolution.

Memorials in favor of the restoration of the deposits, &c. were presented by the following persons: by Mr. Mangum, from citizens of the town of Wilkesborough; by the same from citizens of Mountsville, by the same from 500 citizens of Beaufort, North Carolina; as also the proceedings of a meeting of the county: by Mr. King, of Ala. from citizens of Mobile, who complain grievously of the embarrassment and losses sustained by them.

All which were read, referred and ordered to be printed.

Mr. King introduced a bill for the better organization of the district courts of Alabama, which was read a first and second time and referred.

On motion of Mr. Clay, the resolution moved some days since relative to the Union bank of Maryland, was taken up for consideration.

Mr. Clay then modified his resolution to read as follows: *Resolved*, That the secretary of the treasury be directed to report to the senate what amount of public money is now on deposit in the Union bank of Maryland, when or on what account it was deposited, and also whether any treasury draughts, contingent or other, have been, during the month of March, 1834, furnished to the said bank, or at any time heretofore, to the bank of Maryland, for any and what purpose. And that he likewise report what amount of stock in the capital of said Union bank was held by R. B. Taney, esq. when the said bank was selected as one of the banks to receive in deposita the public money, and what amount of the said stock he now holds.

The resolution, as modified, was then agreed to.

Mr. Poindexter offered the following resolution, which was considered and agreed to:

*Resolved*, That the commissioner of the general land office be directed to communicate to the senate the number of patents



in his office prepared for the signature of the president of the United States, which have not been signed, and the number of final certificates filed in his office on which patents have not been prepared for signature.

Mr. Poindexter offered the following resolution, which lies one day on the table:

*Resolved*, That one thousand copies of the journals of the old congress and of the senate, including in separate volumes the confidential proceedings, with a compendious index to the whole, in each volume, be printed for the use of the senate, and that the same be retained, subject to the further order of the senate.

On motion of Mr. Wright, the senate proceeded to the consideration of the memorial of the citizens of Albany, in favor of the restoration of the deposits, presented a few days since by Mr. Webster.

Mr. Wright rose and replied to Mr. Webster, and was followed by Messrs. Ewing and Clay. The memorial was read, referred and ordered to be printed.

Mr. Wright then presented the memorial of 1,700 citizens of Albany in favor of the removal of the deposits, which was also read, referred and ordered to be printed.

The senate then took up in succession thirty-eight bills for the relief of private individuals, which were severally read a first and second time and referred; and the senate then adjourned.

April 1. Mr. Wright asked leave to present to the senate a report from the minority of the select committee on the subject of the contested election of Messrs. Robbins and Potter, each claiming a seat as a senator from Rhode Island.

After some conversation between Messrs. Wright, Poindexter, Frelinghuysen, Sprague and Ewing, on motion of Mr. Ewing it was laid on the table.

On motion of Mr. Frelinghuysen, the senate took up the bill making appropriations for the repair and completion of the Cumberland road.

Mr. Hendricks moved an amendment, to apply a portion of the appropriation to building toll gates and toll houses on the road.

Mr. Poindexter opposed the application of the money to any purpose but the repair of the road.

Mr. Hendricks proposed the amendment because the act of the legislature of Pennsylvania contemplated the taking of the road when the toll gates and houses were up.

Mr. Clayton was opposed to the whole bill on principle. The internal improvement system, was designed as a national system; and the proposed cession to the states through which the road passed, would be destructive of this great principle.

After some further remarks favorable to the amendment, by Messrs. Ewing and Frelinghuysen, Mr. Hendricks withdrew his amendment, when

Mr. Preston offered an amendment, proposing a conditional cession of those parts of the road passing through the states of Maryland and Pennsylvania, to those states respectively.

Mr. Wilkins opposed the amendment, on the ground that it would defeat the bill.

After some further remarks by Messrs. Clay, Ewing and Kane, the amendment was disagreed to.

The question on ordering to be engrossed, and read a third time, recurring, it was decided as follows:

YEAS—Messrs. Benton, Bibb, Clay, Ewing, Frelinghuysen, Hendricks, Kane, Kent, Linn, Morris, Poindexter, Porter, Prentiss, Robbins, Robinson, Silsbee, Southard, Tipton, Wagman, Wilkins—20.

NAYS—Messrs. Black, Brown, Calhoun, Clayton, Forsyth, Hill, King, of Alabama, King, of Georgia, Knight, Leigh, Mangum, Moore, Naudain, Preston, Shepley, Smith, Sprague, Swift, Tomlinson, Tyler, White, Wright—22.

The senate adjourned.

April 2. Mr. White, one of the majority, moved a reconsideration of the vote taken yesterday on the rejection of the bill making appropriations for the repairs and continuation of the Cumberland road; and after a short and desultory debate, in which Messrs. White, Clay, Poindexter, Ewing, Sprague and King, of Alabama, took part.

Mr. Preston called for the yeas and nays, which having been ordered, the question was taken, and decided in the affirmative, as follows:

YEAS—Messrs. Benton, Clay, Ewing, Grundy, Hendricks, Kane, King, of Ala., Knight, Linn, McKean, Morris, Poindexter, Porter, Prentiss, Robbins, Robinson, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tallmadge, Tipton, Tomlinson, White, Wilkins, Wright—28.

NAYS—Messrs. Brown, Calhoun, Hill, King, of Geo. Leigh, Moore, Preston, Tyler—8.

The bill was then recommitted to the committee on roads and canals.

The following message was received from the house of representatives, by Mr. Franklin, their clerk:

In the house of representatives, Wednesday, April 2d, 1834.

Ordered, That a message be sent to the senate to notify that body of the death of JAMES BLAIR, late one of the representatives from the state of South Carolina, and that his funeral will take place this day, at 4 o'clock in the afternoon, from the hall of the house of representatives.

The message having been read—

Mr. Preston said—I am sure the senate will sympathise with us on these emotions of profound sorrow with which I rise to

propose the customary resolution upon such an event. The sudden death of general Blair, in the vigor of life, and in the midst of its most strenuous pursuits, cannot fail to impress all minds with the most solemn feelings—which to us are enhanced by his association with us in the same pursuits, and by the fact that this is the second instance this session of such an awful and sudden dispensation of Providence. We, his colleagues of the South Carolina delegation, lament his loss not the less that he has differed with us in some points of public policy. Such differences have never extended to personal separation; for each has expensed the zeal of the other, by a mutual and equal acknowledgement of zeal; and God forbid that any such difference should impede for a moment the sad current of feeling which now passes through my heart. To whatever the deceased addressed himself, he brought uncommon force of character, firmness of purpose and vigor of intellect. His country and his constituents have to mourn the loss of these qualities at this important juncture of our affairs; and upon me devolves the melancholy duty of moving the following resolution:

*Resolved*, That the senate will attend the funeral of the hon. James Blair, late a member of this house of representatives from the state of South Carolina, at the hour of 4 o'clock this evening; and, as a testimony of respect for the memory of the deceased, they will go into mourning by wearing crape round the left arm for thirty days.

The resolution was then unanimously adopted; and, on motion of Mr. Preston, the senate adjourned.

April 3. The chair laid before the senate a message from the president of the U. S. enclosing a communication from the governor of New Jersey, on the subject of the adjustment of the boundary line between that state and the state of N. York.

Memorials, &c. praying for the restoration of the deposits, were presented as follows—by Mr. Prentiss, from inhabitants of Chittenden county, Vermont; by Mr. Sprague, from the citizens of Bath, Maine. Read, referred and ordered to be printed.

Mr. Benton presented certain resolutions adopted at a meeting held in Boston, adverse to the restoration of the deposits, &c. Read and referred, &c.

The special order, being the report of the judiciary committee on the pension funds in the U. S. bank, was taken up, when on motion of Mr. Clayton, it was postponed until Tuesday next.

Mr. Wright then moved that the senate go into executive business, which motion was negatived.

The bill to repeal the force bill was then taken up, but on motion of Mr. Calhoun was laid on the table.

Several bills of a private or local character being attended to, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, March 28. Mr. J. Q. Adams asked leave to offer the following:

*Resolved*, That the secretary of the treasury be directed to lay before this house, copies of the charters of all the banks selected by him, as depositories of the public moneys in the place of the bank of the United States and its branches—together with the names of the presidents, directors and stockholders, in the said selected banks, with the amount of stock in said banks, held by each stockholder, and the amount of debt due by each president, cashier and director, of each of the banks, to the said banks, at the time when it was selected as a depository, and at this time.

Mr. Polk said, as the information was already before the house, he must object.

Mr. Adams insisted that it was not, and he moved the suspension of the rule of the house to enable him to offer it.

Mr. Williams called for the yeas and nays.

Mr. Polk then said, that he would withdraw his objection.

The resolution having been read.

Mr. Ewing rose for the purpose of submitting an amendment, calling for information whether the deposit banks had lawyers and solicitors employed.

Mr. Wayne said as the resolution must stand over one day the amendment was not in order.

After a few remarks from Mr. Speight—

The chair explained the rule; when

Mr. Adams accepted Mr. Ewing's amendment as a modification, and the resolution lies over until to-morrow.

James W. Bouldin elected in the place of Thomas T. Bouldin, deceased, from Virginia, appeared, was qualified and took his seat.

On motion of Mr. McKintley, the house agreed to meet, henceforth, at 11 o'clock, A. M.

Mr. Patterson submitted a resolution, which was agreed to, instructing the committee on Indian affairs to inquire into the expediency of making an appropriation for the purpose of purchasing the Wyandot Indian reservations, in the state of Ohio, and removing the Wyandot tribe of Indians west of the Mississippi.

Mr. Polk asked and obtained leave from the committee of ways and means to be discharged from the consideration of the petition of certain sugar refiners of Boston, praying a reduction of duties on sugar.

The house proceeded to the consideration Mr. Mardis' resolution, when

Mr. Chilton Allan, resumed and continued his remarks until the expiration of the hour.

The house took up the report of the committee of ways and means on the deposit question, &c.

Mr. Choate then rose and addressed the house in favor of the restoration; when he had concluded—

Mr. Dickerson, of New Jersey, rose and spoke at considerable length in support of the resolutions of the committee.

Mr. Hardin expressed a wish to speak on the question, and, as he was not prepared with certain documents, moved that the house adjourn.

Mr. Mercer requested him to withdraw the motion, in order to take up the bridge bill.

The motion not being withdrawn, the question was taken upon it, and was rejected 40 to 56.

The speaker stated that there was not a quorum, and directed the sergeant-at-arms to invite the members to attend.

Mr. Hardin then moved that the house do now adjourn, which was agreed to without a count, and the house adjourned.

**Saturday, March 29.** Mr. Adams, of Mass. asked consent to take up the resolution moved by him yesterday, calling for certain information relative to the deposit banks.

[Mr. Foster, of Georgia, objecting—Mr. Adams moved to sustain the rule, to enable him to call up his resolution. On this motion Mr. Williams demanded the yeas and nays—whereupon Mr. Foster withdrew his opposition.]

Mr. Adams then modified his resolution by adding the following clause:

"And that the secretary of the treasury be directed to report to this house, a statement of all the sums denominated in the treasury accounts *unavailable funds*; specifically designating the several banks, or individuals indebted to the treasury therefor; the time when each debt first became due—the time when failure of payment thereof first occurred; the security, if any, which the public have for payment thereof at any time, and the prospect of such eventual payment."

Mr. Harper, of Penn. objected to the adoption of that clause of the resolution which called for a statement of the debts due by the respective presidents, cashiers and directors of the banks referred to.

Mr. Adams should be entirely willing to acquiesce in the amendment proposed by the gentleman from Pennsylvania, if such had been the measure meted out on other occasions. The ground taken by the gentleman was precisely that which he, Mr. A. had taken two years ago, on the occasion of an investigation into the affairs of the United States bank; but he had been overruled. And, aside from this, one of the resolutions reported by the committee of ways and means, proposed a similar investigation on a much more extensive plan, in relation to the bank of the United States.

That measure, which had been meted to one institution, Mr. Adams was for meting out to others. If in the one case, all the accounts of individuals, of every description, especially of persons connected with the government, members of congress, printers and editors, had, in the one case, been subjected to scrutiny, (as the affairs of the editors of the National Intelligencer had been, and subjected to numerous public comments); then there was nothing but fairness and equity in permitting the same scrutiny in relation to the CRACK BANKS, (which he considered a better name than that of *pet banks*.)

Mr. Wayne acquiesced with the gentleman from Pennsylvania, (Mr. Harper), in his objection to one of the clauses of the resolution; besides which it contained two calls which were unnecessary. The charters of the banks, and the names of their stockholders had already been reported. He contended also that the resolution called for certain information, which, while it might essentially injure individuals, could effect no public good. The secretary had no power to demand such information; and, if he had, it ought not to be exerted.

Mr. McKinley took similar ground.

Mr. Speight was willing to allow the largest latitude of inquiry. He was particularly surprised at the remarks of the gentleman from Georgia, (Mr. Wayne), who had said, if he understood him, that the house had no right to inquire into the affairs of the banks selected to receive the deposits.

Messrs. Wilde and Mann addressed the house, the latter gentleman concluding his remarks with a request that the gentleman from Pennsylvania would withdraw his objection.

Mr. Harper expressed his willingness to do so.

Mr. Beardsley rose to address the house, but the hour allotted to resolutions having expired,

Mr. Polk moved that the rules of the house be suspended for the purpose of taking up the general appropriation bill, which motion was negatived.

The house then took up several bills of a private or local character, which being severally disposed of, the house adjourned.

**Monday, March 31.** The house took up the motion of Mr. Plummer, of Mississippi, for referring the proceedings of a meeting of the citizens of Natchez in that state, in favor of the restoration of the deposits, to the committee of ways and means; when

Mr. Plummer addressed the house adversely to the views of the meeting, and being replied to by his colleague Mr. Cage, withdrew his motion, and the proceedings were laid on the table and ordered to be printed.

Memorials, petitions, &c. favorable to the restoration of the deposits, &c. were presented, as follows—by Mr. Kananagh, from Bath, Maine; by Mr. Evans, from 450 citizens of Somersworth, constituting a majority of the voters; by Mr. Briggs,

from 370 citizens of Adams, Berkshire county, Mass.; by Mr. Baylies, from 2,429 inhabitants of Bristol co. Mass. (4 towns in the same county had already memorialized congress); by Mr. Choate, from 900 inhabitants of Lynn, Mass.; by Mr. Burges, from 450 out of 700 votes of the town of Paterson, New Jersey; by the same from the villages of Smithfield and Cumberland, R. Island; [Mr. Pearce presented a letter from certain citizens of R. Island in reference to the above memorial, which led to a succession of speeches, replies and rejoinders between these gentlemen, of quite a personal character; in the course of which Mr. Burges pronounced the paper presented by his colleague to be a forgery;] by Mr. Burges, from inhabitants of Newport, R. Island.

Mr. Osgood presented certain resolutions, passed at Faneuil Hall, Boston, in support of the removal of the deposits.

The house then adjourned.

**Tuesday, April 1.** A communication was received from the secretary of state, on the subject of the prevention of the counterfeiting of foreign coin.

After attending to several matters of a private character, the house proceeded to the consideration of the bill providing for the settlement of certain revolutionary claims; when

Mr. Marshall resumed his speech commenced several weeks ago, and spoke until the expiration of the hour.

The consideration of the report of the committee of ways and means on the removal of the deposits was then resumed, when

Mr. Harden, of Ky. spoke in opposition to the removal until a late hour. In the course of his speech there were motions for adjournment successively made by Messrs. McComas, Chilton and Clarke. On the motion being made by the latter gentleman, the house agreed to adjourn by a vote of 82 to 80, and so the house adjourned.

**Wednesday, April 2.** As soon as the sitting of to-day was opened—

Mr. McDuffie rose, and in a feeling and proper manner, announced to the house the decease of the hon. James Blair, of South Carolina, one of his colleagues, a member of this house, and moved the customary resolutions of respect to the memory of deceased members, and also that a message be sent to the senate, informing them of his death and the time of his funeral; which being unanimously concurred in, the house adjourned.

**Thursday, April 3.** Mr. Elisha Whittlesey reported a bill to provide for the payment of claims for property lost, captured or destroyed by the enemy, while in the military service of the United States, during the late war with Great Britain, and the Indian wars subsequent thereto; which was twice read and made the special order of the day for the 11th instant.

Mr. Edward Everett reported a bill making compensation for certain diplomatic services and for other purposes; which was twice read and committed.

The resolution of Mr. Mardis on the subject of the deposits, was then taken up; when

Mr. Chilton Allan resumed and concluded his remarks, in opposition to the resolution.

Mr. White, of Lou. moved that there be a partial suspension of the rule of the house, so as to allow the states to be called for memorials between the close of the morning business and the hour fixed for the consideration of the report of the committee of ways and means, and to invert the usual order of calling the states, so as to begin at the extreme south, instead of the extreme north. The motion, after an objection by Mr. Parker, of New Jersey, was lost.

Mr. Marshall resumed and concluded his speech on the communication bill; and the hour having expired,

The report of the committee of ways and means on the deposits was taken up.

Mr. Harden resumed the floor and concluded his speech in opposition to it.

Mr. McDuffie next rose and addressed the house on the same side for about half an hour, when, on the motion of Mr. Arctley, the house adjourned.

#### DR. MACNEVEN'S LETTER.

New York, 29th March, 1834.

Dr. Wm. J. Macneven,

Sir—Having seen contradictory statements in two of the daily papers in relation to your political opinions as to the present course of the executive of our country, the vigilance committee of the independent republicans of the fourteenth ward, have deputed the undersigned most respectfully to request, that you will be pleased to make known to us, your sentiments on the leading political question, which at present, so deeply agitates the nation; and it is particularly desirable, that if consistent with your views, you should frankly give your opinion as to the removal of the deposits, and whether you are or are not in favor of a national bank.

It is also desirable to know if the nomination made at the Broadway house, of William C. Wales for alderman, and Lambert Stuydam for assistant, to represent this ward in common council, for the ensuing year, and of Gulian C. Verplanck, as a candidate for mayor, meets your approbation.

The importance of affairs, at this crisis, must plead for the liberty we take upon the present occasion. Very respectfully,

MOSE WANZER,  
J. K. HAMILTON,  
P. W. ENOS,

AUSTIN BALDWIN,  
CHESTER CLARK.

New York, 31st March, 1834.

Chester Clark, Austin Baldwin, P. W. Engs, James K. Hamilton, Moses Wanzler—

GENTLEMEN—The statements in the papers to which you refer, were certainly unauthorised by me, and appeared to my surprise. They must have been derived from casual conversations and promulgated by party spirit, which too often infringes upon delicacy in its zeal. Rather than take a different side from old associates, who still profess to find those measures right which I deem wrong, I wished to hold myself aloof, and where I could not approve to refrain, if possible, from opposing. But called upon now officially by so respectable a body of my neighbors and fellow citizens to declare my sentiments unequivocally, I cannot be deemed forward in stating them, since compliance is a duty.

I supported general Jackson's election, and I continue to feel the highest sense of gratitude for his eminent services in the field. Though perhaps disappointed in some of the expectations I had formed of the benefits to be derived from his administration, still preferring him far before those who were brought as candidates against him, I have sustained him as long as I could do so conscientiously. In relation to the great question which agitates and engrosses congress and the people, after having examined his course with every disposition to find it justifiable, I cannot possibly approve it.

The fiscal reasons which have been assigned for the removal of the public deposits are so futile, that they hardly deserve an answer. To say in the same breath that the necessary demands of government will reduce them in one year to little or nothing, and yet that they must be removed at once, lest they should be so greatly accumulated by the time the charter will expire, as to compel congress to renew the charter, is really too absurd to be deemed serious. When I am told that the public moneys were not safe in the United States bank, and looking at the public documents, I find that just before the removal, they amounted in the whole to less than ten millions, while the bank had eleven millions in specie; but now that they amount in this city alone to five millions, while the banks in which they are placed have only eight hundred thousand dollars in specie, I cannot see what has been gained in point of safety.

The true and indeed avowed motive was a political one. The object was to cripple, nay to crush an institution deemed dangerous, and which is said to have set itself in opposition to the will of the people, and to have improperly interfered in the election of our chief magistrate. But the folly of the attempt of the bank, if it really was made, has been fully demonstrated by the result of the elections. We are not, thank God, governed by wealth, but by numbers. The bank was proved to have no political power. Out of the city of Philadelphia, it was every where a dead weight on every candidate who attempted to support it. It lay prostrate as a political body, and there was no necessity, on that score, for further attack. If, indeed, the president, by removing the deposits, could at once have strangled that which he thinks a monster, there might have been some sense in doing the act; but since he could not effect that, far better would it be to leave the bank undisturbed to die its natural death. The fact cannot now be denied that more efficient means could not have been devised to cause a reaction, and give a chance of a recharter to the bank, than those which were employed for annoying it and exercising a useless revenge. It is thus that uncontrolled passions ever blind the understanding.

Since there was no sufficient motive, fiscal or political, for the act, it was unwise and unstatesmanlike. It required no great sagacity to foresee that it must cause a derangement in the commercial operations and credit of the country; and where no good could ensue, it could only be under the dictates of passion that any executive officer would run the risk of subjecting the country to the evils that attend any such derangement. After those evils had actually occurred, and could no longer be denied, a magnanimous mind would have retracted, instead of persevering in the error.

Yet it is not simply because an unwise and unfortunate measure has been adopted and is obstinately maintained, that I feel myself called upon to express my dissent. Though an humble individual, I may be permitted to say, that I am actuated by much higher motives. I have looked at the law which is said to warrant the deed, and I see that by it the public moneys were ordered to be kept in a certain place, unless the secretary of the treasury thought it necessary to remove them, in which case he was bound to lay before congress his reasons for so doing. To the president no power is delegated on the subject. He may, indeed, remove the secretary if he thinks him dishonest or incapable; but this does not imply the power to remove the officer for the express purpose of having the act of which that officer is by law the only judge, done according to the will of the president. That would be uniting in one person the powers of both the president and the secretary of the treasury. Had this been the intention of the law, the power of removing the deposits would have been given to the president alone. Had it been intended that the president should have any control whatever in the case, it would have been provided that the secretary might remove the public moneys with the approbation of the president. Instead of this, not to him but to congress alone is the secretary made responsible by law for the act. It would be pure mockery to suppose, that the obligation to assign his reasons to congress is a matter of form, and means nothing. Either the legal provision is an insult to our understanding, or it renders the act invalid, unless approved by con-

gress. The conduct of the president in this is greatly aggravated by the circumstances by which it was accompanied. It was done after congress had passed judgment on the acts ascribed to the bank, and declared it to be a safe depository of the public moneys. It was done without waiting for the opinion and action of the new congress, in the recess of the senate, by an officer not confirmed by that body, and selected for one express purpose.

I cannot sustain such a measure. It is a palpable infringement of the laws. It is equally contrary to the spirit of our constitution, to the principles of genuine liberty, and of republican institutions. The executive magistrate is necessarily vested with great powers, and liable to imposition. He has the exclusive direction of all negotiations with foreign nations, and the exclusive right of nomination to all offices. No treaty can be made, no officer be appointed, without his previous approbation. He exercises the power of removing by his sole authority every officer, the judges only excepted. He is commander-in-chief of all the armed forces of the nation, by sea or by land. He executes, and at times interprets, the laws and treaties. He has a qualified negative on all laws, and exercises it freely.

Against the dangerous abuse of those powers centered in one man, we have, heretofore, been protected by the constitutional check of the senate, which has now been evaded; by salutary legal barriers, which have been overleaped; by that admirable temper and moderation which had characterised our former presidents, and on which my reliance is now greatly lessened.

This is the only quarter from which encroachments that might gradually undermine our liberties and subvert the principles of republican government, can be apprehended. And let it not be forgotten that the danger is never greater than when that high functionary happens to enjoy an excessive degree of popularity; capable of inducing the people to sustain all his pretensions; and that the attempt to establish a fatal precedent is never more likely to succeed, than when the object of the attack happens to be an unpopular institution; when those circumstances are combined, public attention is but too easily diverted from the true state of the momentous question at issue. Should the attempt now made be sanctioned by the people, the purse and the sword would be placed in the same hands, and the first visible effect will be a corrupt influence introduced into our government. Six months have not elapsed since the executive transfer of the public moneys was made, and what is already the result in this city alone?

The three respectable banks selected for the purpose have a capital of six millions of dollars. Their discounts before they had the public deposits, amounted to 9,200,000 dollars, and they made with one another, an annual dividend of six and a half per cent. But with the aid of the public moneys they are now able to discount near 13,800,000 dollars, or four millions six hundred thousand dollars more than formerly, giving an additional profit of four and a half per cent. a year on their capital. Thus we have forty bank directors endowed with the power of distributing four millions and a half in loans, beyond the natural resources of their banks; and two thousand stockholders whose income is at once raised from 63 to 11 per cent. This might not give much influence to the grantor if the boon was irrevocable. But on what tenure is it held? It depends on the sole will of the secretary, who has reserved the power to annul the contract whenever he pleases, and who for any such change is no longer bound to assign reasons. Or I should rather say, it depends on the all controlling will of the president, since the secretary of the treasury has ceased to be the officer of the law, and is a mere puppet moved by the chief magistrate, who remains himself legally irresponsible for acts, which, according to law, must be performed by the said secretary. If this uncontrolled and irresponsible power to grant, aid, at will, to shift favors to that extent, is not an improper, and, prospectively at least, a corrupt and most dangerous species of influence, I am at a loss to know how a worse kind can be devised.

The democratic party was founded on the purest principles; and, whilst adhering to, and bound by these, it had a right to require personal sacrifices from its friends—namely, that they should yield their opinions to those of the majority, on unimportant points, not affecting those principles; or in the selection of candidates of equal qualifications. But where the principle itself is called in question, I must preserve my independence of opinion, and, with regret, yet without hesitation, dissent from those who, under color of adherence to the usages of party, may require a sacrifice of all that is dear to us, and thereby subvert the fundamental principle of our institutions. This, as I understand it, is, that the majority, not of any party, but of the people, must govern. I cannot subscribe to the test now imposed, of approving in the mass at all events, and whatever they may do, of our national and state administrations, or of sanctioning even the most dangerous measures, because they have originated with our chief magistrate. Loyalty to his king is, indeed, the pretended virtue of the subject of a monarchy. To live under a government of laws, and not of men, is the boast of the citizens of our republic.

To you, my friends and fellow citizens, who know me, I need not say that I am not one of the rich, that I derive my means of existence from the moderate profits of my professional industry, that I am, and cannot cease to be, a democrat; that I have lived a friend of liberty, and have once suffered for that cause. For my zeal in its defence I became a proscribed exile from my na-

tive land. Here, in this asylum of the oppressed, I have now lived almost twenty-nine years. I have, you well know, no other country. I am identified with its interests, its prosperity, its glorious institutions. These I cannot desert. On their preservation depends our happiness and that of our posterity. They are the boast, the model, and the hope of the friends of liberty throughout the civilized world. I admire my fellow citizens not to blast those hopes and the high destinies to which this nation is called; to preserve those institutions inviolate; to defend and protect them against every attack, and every attempted infringement from whatever source, or from whomsoever they may come; to bring back the administration of our government to its native purity, and to leave to their children entire, unslacked and unblemished, the sacred inheritance, such as they received it from their fathers.

To sum up in a few words, gentlemen, my answers to your questions: I disapprove of the removal of the deposits, and am in favor of their restoration forthwith.

I am opposed to the continuation of the present bank of the United States, but am in favor of a national bank that shall possess the advantages of this, and distribute them as equally as may be for the public accommodation, without prejudice to liberty.

I am opposed to constructive versions of the constitution, whereby the executive shall take powers by implication or evasion, instead of applying to congress for authority.

[We follow a paragraph which relates to the local election in New York, which is omitted for the reason that we do not interfere with such things. It may be mentioned, however, that the doctor says he will support Mr. *Verplanck*, for mayor, and the candidates of the independent democrats for aldermen.]

In compliance, gentlemen, with your request, I have candidly opened to you my sentiments, and I respectfully submit them to your judgment.

—•••••  
WILLIAM JAMES MACNEVEN.

#### GREAT MEETING AT PHILADELPHIA.

On Thursday, the 20th March, agreeably to notice, the democratic citizens of the city and county of Philadelphia, with "all others who are resolved to defend the constitution and laws against executive usurpation," assembled in Independent square, at four o'clock.

Before three o'clock, the processions of different kinds began to enter the square, as nearly as we could ascertain, in the following order:—

The citizens of Manayunk, with a handsome flag—they formed a very long cavalcade, composed evidently of the bone and sinew of the country. They were preceded by a golden eagle dressed in black crape as an emblem of mourning.

The citizens of Southwark, a large and highly respectable body.

The citizens of Moyamensing, to the number of several hundred, preceded by a flag with the inscription of "Washington our guide and monitor."

The Moyamensing weavers, preceded by a loom out of gear, and mounted on a cart, on which was legibly written "no work." On the banner, "American industry the road to independence."

The merchants and traders of the city and county. The number of this very respectable body in the procession exceeded five hundred, and certainly a more respectable body never made their appearance in our streets. Among them were recognized many who had but lately been the president's warmest supporters; but who, on the present momentous occasion, were proud to show themselves in the ranks of the free. Their motto was appropriately inscribed on a flag, "supporting the constitution and laws." All the shipping in the port had their flags at half mast—so that the occasion may be said to have been sanctioned by the entire body of our merchants.

The tailors and clothiers, preceded by a modest flag—but this was attended by a large class of men who are never missing when the country is in danger.

The cabinet makers and furnishers, with a flag containing the motto, "the constitution inviolate—the laws triumphant."

The booksellers and bookbinders, with two banners; the first, which was an elegant one of blue silk, had the sentence, "we bind and preserve the literature of the present age for the benefit of the future;" the second bore the inscription, "our country and the constitution."

The printers, with a banner inscribed "our country and its constitution—truth is great and must prevail." It is declared on good authority that it has been ascertained that seven-eighths of the two latter professions are opposed to the removal of the deposits.

The coal dealers, and others interested in the trade of the Schuylkill, a respectable and numerous body, who were preceded by a banner with a view of a canal lock, and coal cars drawn on a rail road. Passing through the canal was the fine boat "Constitution." This body also had a banner inscribed "united we stand, divided we fall." A very great number of dealers, hatters and others were in attendance.

The painters and glaziers, with a banner, the inscription of which was forcible and striking—"GO TELL HIM!!! FREEMEN WILL NOT BOW NOR WEAR THE COLLAR!!!"

The hatters, displaying an appropriate banner, surmounted by a cocked hat, inscribed all round "seventy-six."

The builders, to the number of several hundreds.

The cordwainers, with a plain white banner, inscribed with the name, &c. of their profession.

The marble masons, with a bright flag bearing the motto "we defend the constitution from present and future violence."

The gold and silver artists, with a flag bearing the head of Washington.

The ship builders, stevedores, sailors, &c. flag inscribed, "don't give up the ship," "labor is wealth."

Farmers and millers, in great numbers, carrying a flag with the inscription "our country and the constitution."

People of Germantown. This most truly respectable and numerous body was loudly cheered on all hands on entering the square. The best feeling seemed to prevail towards them, and they walked in excellent order; their countenances spoke as plainly as words could have done—"We are determined to resist oppression." On their flag "the constitution and laws."

The sugar refiners, whose banner said—"support the constitution and laws."

The tobaccoists, with a suitable banner, representing Washington receiving the calumet of peace from an Indian, and the motto, "flourish the plant."

The next that entered, was a very long procession of citizens from the townships of Blockley and Kingsessing, headed by a banner inscribed "we do not despair of the republic."

These were followed by the young men of the city and county, a truly interesting procession, which was hailed by all as it passed in, with loud acclamations. There were at least 4,000 of them.

But perhaps the most interesting incident of the day was the circumstance which occurred, on those young men passing by the house of the firm and independent secretary of the treasury, *William J. Duane*. His person was discovered at the window of his house, overlooking Independence square, and no sooner was he seen than a loud and universal shout rose from the enthusiastic multitude, exclaiming most forcibly their approbation of his course. Mr. Duane bowed repeatedly to the crowd, and we saw his handkerchief more than once wiping a courting tear from his cheeks, at this demonstration of their affection for a man displaying independence in the cause of the constitution, which they were now assembling to avow their intention to vindicate, and keep "unsullied from a spot."

Mrs. Duane was so much affected by this sudden and unexpected demonstration of public respect, that after one full and hearty cheer, she was compelled by her emotions to leave the window.

The young men also displayed a flag inscribed, "Our country, not party—principles, not men."

The iron workers, with a picture representing an anvil and a sledge-hammer.

The black and white smiths, iron masters, hardware merchants, tin plate workers, copper smiths, &c. with a plain white banner; motto, "our country and constitution."

The coopers made a considerable turn out, but as far as we could see bore no banner.

The citizens of Kensington district.

The citizens of the Northern Liberties and Spring Garden.

The tanners and curriers and leather dealers.

The Citizens of Lower Dublin and Byberry.

We have given only a part of the movements—the crowd in the state house yard was so dense that it was impossible to note the entrance of all the different processions.

A capacious rostrum was erected against the south front of the state house, facing the Independence square. On this, the officers of the meeting, the orators and the committee of arrangements were placed.

A few minutes before 4 o'clock, the hon. John Sergeant entered the rostrum; his presence was hailed by the multitude with enthusiastic shouts.

N. Foster, esq. called the meeting to order, and nominated—  
President—DANIEL GROVES.

Vice presidents—William Wagner, Northern Liberties; Alexander Cook, city; Benj. Naglee, Northern Liberties; gen. A. M. Provost, city; John Britton, Blockley; John Green, Germantown; gen. John D. Goodwin, Northern Liberties; Alexander Quintin, Roxborough; Henry H. Miller, Spring Garden; John Boileau, Lower Dublin; Charles Peurose, Southwark; Arundis Tiers, Kensington; John Leutz, Passyunk; Jacob M. Thomas, Moyamensing; Peter Castor, Oxford; John M. Ogden, Spring Garden; Dr. George De Benneville, Germantown.

To which are added the chief marshals of the various trades and processions.

Secretaries—Charles J. Jack, city; William M. Kennedy, Northern Liberties; Thomas Ronch, unincorporated Northern Liberties; D. Henry Flickwir, Southwark; Franklin Comly, Moreland; George Myers, Spring Garden.

*Peter A. Brown*, esq. moved the following resolutions, which were unanimously adopted:

We, a portion of the free people of the United States, having met together with no object but the public good, and with a fixed determination to preserve the constitution, and defend the liberties of our common country—do solemnly resolve and declare—

1. That in us, and our fellow citizens of the United States, the sovereignty of this nation abides, that from us and our fellow citizens, all lawful power must proceed, and that it is equally our duty and our right, to watch over the agents whom we have entrusted with power, and to rebuke them when guilty of negligence, misconduct or usurpation.

2. That Andrew Jackson, as president of the United States, has evinced a settled disregard for the constitution and the

laws, that he has broken the national faith, trampled on the rights and interests of the people, and endeavored by the overthrow of all other departments of the government, to unite all power in his own hands.

3. That the removal of the public deposits from the bank of the United States, was an assumption of power not confided to him by the people, an usurpation dictated by passion and executed to gratify his vindictive feelings.

4. That to this unlawful and unnecessary act, to the course which he and his government and his banks have since pursued, and to the consequent destruction of public confidence, we attribute the unexampled distress now pervading the community, the disarrangement of the currency, the depression of commerce, manufactures and the mechanic arts, the low price of agricultural products, and the almost total suspension of our public improvements.

5. That we have neither faith in the motives, nor hope from the result of the president's experiment, to substitute a number of scattered banks for a single national institution. It has already failed of its ostensible objects; and we fear it is a means by which the whole moneyed power of the country, may be placed at the disposal of a corrupt executive.

6. That public confidence cannot be restored, nor the national honor kept sacred, without an immediate order for the restoration of the deposits to the bank of the United States.

7. That the veto power, now claimed and exercised by the president of the United States, is a gross perversion of the original design of the framers of the constitution, in conferring a veto power upon the chief magistrate of the nation.

8. That the conduct of the president and those who support him in congress, or elsewhere exhibits a determination to place his will above the opinions or interests of the people, and thus to convert our once free and happy republic into an absolute and oppressive despotism.

9. That looking to the practice of men, and not to their professions, we cannot recognise the Jackson party, a party ruled by the will of one individual whom they consider born to command, as the democracy of the country.

10. That in the independent portion of our fellow citizens who have arrayed themselves against executive usurpation, who compose a large majority of the bone and sinew of the nation, and with whom we are proud to be numbered, we recognise the true friends of the people, and therefore the only real democratic party.

11. That the present crisis demands of every citizen, who loves the constitution, and would preserve the liberties of his country, the utmost firmness and devotion in the common cause. When the highest and dearest interests of all are threatened, none can refuse his labor and his voice—where all is at stake, every thing must be periled—every thing dared to save it.

12. That as a means of concentrating the efforts of all who agree with us in opinion throughout the state, and making that opinion felt hereafter at the polls, we approve cordially of the proposed convention to be held at Harrisburg on the 22d day of May next.

13. That to the present congress we look for an exercise of independence worthy the crisis, and of the trust committed to its care. Of that congress we demand the safety of the republic.

14. That it is the right of the people to have access at all times to their servants, however high their stations—that to deny such access, savours of royalty, and does not comport with the plain manners and republican habits of a republican people.

15. That in the opinion of this meeting, the congress of the United States ought not to adjourn until they shall have provided effectually for the relief of the distresses of the country, vindicated the constitution and laws so wantonly violated, asserted the dignity and authority of the representatives of the people, and secured the constitution and the currency against the lawless tampering of the executive, so that hereafter the well defined boundaries of our republican institutions may be respected in practice, and the happiness of the nation not be made the sport of the will or passions of one man.

After an address from Samuel W. Rush, esq. col. C. J. Jack offered the following resolutions, which were adopted.

Resolved, That as members of a great confederacy, we abjure all sectional jealousies, but that as citizens of Pennsylvania, we behold in the present conduct of those who rule the executive of this country, a plan to destroy the present bank of the United States, and after the term of service of Gen. Jackson shall expire, the certainty of establishing another bank, to be located out of the state, whose stock will be divided among the members of an ascendant regency, whose management and direction will be made subservient to the ambition and intrigues of political aspirants, and whose consummation will finally complete the experiment of trying to unite the purse and the sword in one hand.

Resolved, That this meeting firmly believe that the citizens of this commonwealth have been perfectly satisfied with the paper currency, existing in Pennsylvania, since the establishment of the bank of the United States; that they have desired no change in it; and that if any change shall be made, they do most earnestly deprecate the substitution of the New York safety fund system, by which a bank is authorised to issue notes to the amount of \$349,470, while it possesses in specie in its vaults no more than the sum of \$6,558 dollars! to redeem all

the notes issued by it and circulated in the community, as the representatives of a solvent and specie paying bank.

Resolved, That we do solemnly protest against the friends of Gen. Jackson, assuming to themselves the title of the Pennsylvania democracy, when they have avowed that they will support the opinions of one man, "whether right or wrong," and we do conscientiously believe, that if general Jackson should this day publicly announce his determination to return the deposits to the bank of the United States, that the Jackson representation of this state in congress, would instantly support the measure; that the Jackson portion of the legislature of Pennsylvania would add their hearty concurrence; and that the whole Jackson party throughout the United States, would rejoice in their release from their present dilemma; and as instantly proclaim this last act of their chief, the most disinterested and noble deed of his life.

It was resolved, that the president of this meeting have power to appoint a committee of correspondence.

The following resolutions were presented by the different trades:

*By the painters of the city and county.*  
Resolved, That Martin Van Buren deserves, and will receive the execrations of all good men, should he shrink from the responsibility of conveying to Andrew Jackson, the message sent by the honorable Henry Clay, when the builders' memorial was presented to the senate. I charge you, said he, go to the president, and tell him—tell him if he would save his country—if he would save himself—tell him to stop short, and ponder well his course—tell him to retrace his steps, before an injured and insulted people, infuriated by his experiment upon their happiness, rises in the majesty of power, and hurls the usurper down from the seat he occupies, like Lucifer, never to rise again.

*By the builders of the city and county.*  
Resolved, That the amount of present and prospective employment for all the branches of industry connected with the erection of buildings in the city and county of Philadelphia, has been affected to the extent of 75 per cent. compared with last year's business, by the present disastrous and ruinous measures of Andrew Jackson.

Resolved, That it is the solemn and deliberate conviction of those whose employment depends upon the erection of buildings, that the immediate restoration of the deposits, and the recharter of the United States' bank, are the only means by which confidence can be restored, lost faith recovered, and the late cheering prospect which animated and diffused its blessings throughout the whole community, regained.

Resolved, That the declarations of the representative to congress from Montgomery county, that the mechanics and laborers have hitherto been too highly favored—that their prosperity has been too great—that the bank has afforded them too many facilities—that they have been adding house to house and that it is time they were put down, merits and should receive the scorn and contempt of freemen, and indicates a mind so sordid, narrow and selfish, and so disgraceful to the feelings of humanity, and revolting to every sentiment of the heart, that we are almost constrained to ascribe them to the ravings of a maniac, rather than to the expressions of a sane and thinking mind.

Resolved, That we now earnestly call upon all our fellow citizens to aid us, e'er it is too late, in our endeavors to put down, as speedily as possible, the alarming power claimed by the present chief magistrate, and to prevent, if possible, the prostration of our interests being consummated to satisfy the unbounded ambition of a military despot.

The committee take occasion to say, the foregoing expressions ascribed to Joel K. Mann, of Montgomery county, were used by him to a part of the builders' committee, late on a visit to Washington.

*By the hatlers.*  
Resolved, That it is degrading to freemen to wear the collar, or drag the chains of any man, whatever may have been his claims upon the veneration and gratitude of the people.

That we behold in the blind servility of the supporters of Andrew Jackson, and his unprincipled warfare upon the currency of the country, not only a surrender of the dignity and the rights of freemen, but also, a basis on which some political aspirant may erect a despotism which shall crush the last refuge and hope of freedom.

That the people assembled here, disclaiming all party considerations, pledge themselves as citizens of our common country, never to relax their efforts, until the supremacy of the constitution and laws shall be acknowledged, and the protection of the government secured, in support of a sound and uniform currency, the sinews of the enterprise, wealth and prosperity of a nation of freemen, and we earnestly entreat the independent yeomanry of the country, to elect honest men to represent them in congress; that the president may no longer be able to veto the passage of laws enacted for the promotion of the general welfare.

*By the gold and silver artificers, watch makers and other branches of the trade.*

Resolved, That when the time arrives for an expression of our opinions by the ballot box—that we here declare our determination, to support no individual for office who will not unite with us in tearing aside the flimsy veil which conceals the "kitchen cabinet," and expose them in all their naked deformity to the eyes of the nation, as objects fit only for the scorn and contempt of mankind.

*By the cordwainers.*

This day, 22 years ago, was the great earthquake at Caracas, and the meeting this afternoon will cause a great earthquake with politicians according to interest, therefore resolved, that we, the cordwainers of the city and county of Philadelphia, considering the name of democrat substituted for man worshiper, or going the whole hog, as deviating from the principles of '93, do agree, as republicans, to support principles instead of men, and shall consider this day as the beginning of the second republican era of this country.

It was resolved, That the president of this meeting have power to appoint a committee of correspondence.

*On motion, it was*

*Resolved*, That the meeting approve of the delegates chosen by the city and the county to the convention to be held in Harrisburgh, on the 20th of May. They are as follows:

*For the city*—John Sergeant, John M. Scott, John S. Riddle, Wm. M. Meredith, Daniel Groves, Joseph R. Ingersoll, Silas W. Sexton, Bernard McCredy, Joseph Murray.

*For the county*—Northern Liberties—William Wagner, Jos. Smith. Spring Garden—David Woolpper. Southwark—Nathl. C. Foster, George P. Little. Moyamensing—T. M. Hubbell. Kensington—Wm. Fritler. Unincorporated Northern Liberties—Thomas Roach. Bristol township—William Wister. Oxford township—Geo. K. Budd. Moreland township—Franklin Conly.

The meeting adjourned after giving nine cheers for the constitution. DANIEL GROVES, president.

Peter A. Browne, esq. delivered an impressive speech on presenting the resolutions.

Samuel Rush, esq. succeeded Mr. Browne, and in an impassioned address of great pith, kept the people in a constant good humor; C. J. Jack, esq. followed. The resolutions were passed with the utmost unanimity, and the immense multitude began to disperse peacefully to their homes before five o'clock.

On leaving the yard, the several processions piloted their banners fancifully before Mr. Duane's door, and commenced giving him loudly vociferated cheers at the rate of "three times three." This brought Mr. D. to the door, and he addressed them for a few moments, evidently deeply affected by their enthusiasm. The applause which followed we will not attempt to describe; it has made an impression on all who heard it which death alone can obliterate, and which should encourage statesmen to pursue the honest dictates of their hearts.

Much credit is due to all parties engaged—the marshals of the day, who appointed places for the trades, &c. were so active and intelligent as to prevent all confusion. To general Prevost, the chief Marshal, in particular, the citizens are greatly indebted.

The stores in Chesnut, Market and the adjacent streets were generally closed—and business suspended.

## BANK OF MARYLAND.

A very numerous meeting of the creditors of the bank of Maryland, was held at the Exchange, at four o'clock on Friday, the 25th ult. WILLIAM PATTERSON, esq. was called to the chair, and the hon. NICHOLAS BRICE appointed secretary. After the object of the meeting had been explained, judge BRICE submitted the following resolution, which, after considerable discussion, was adopted:

*Resolved*, That a committee of fifteen persons be appointed from amongst the creditors, with full power and authority to devise and adopt all such measures as in their judgment shall be found necessary to protect and advance the interest of said creditors, and to bring the affairs of the said bank of Maryland to a just and speedy settlement and distribution of its assets among them; and that said committee be authorized to fill up vacancies and appoint from their own body or other creditors a sub-committee, who shall act in all matters with the like powers as are above conferred.

A motion was then made and carried that the committee should be appointed by the chairman, who subsequently appointed the following gentlemen:

Alexander Fridge,	Jacob Rogers,
Col. William Steuart,	George McCubbin,
Thomas Kelso,	R. W. Gill,
Jacob Albert,	Charles C. Harper,
William A. Tucker,	Charles Nicols,
Frederick Dawson,	Levin Gale, of Cecil,
Alexander Brown,	Jere. Nicolls, of Kent.
Jonathan Meredith,	

[Messrs. McCubbin and Nicols having declined serving, Messrs. John Johnson, of Annapolis, and George W. Thomas, of Kent, were appointed in their stead.]

At this stage of the proceedings, the following communication from THOMAS ELLICOTT, esq. addressed to the chairman of the meeting, was received and read:

*To the creditors of the bank of Maryland.*

The recent and sudden stoppage of the bank of Maryland, with the consequences arising from that event, has imposed upon me relations with you which render it an imperative duty that I should, at the earliest period possible, give you all the information in my power concerning the funds and effects of that corporation, and of the extent of its debts and liabilities to you, as also the circumstances under which I consented to become the trustee.

The present situation of the trust property will all be prepared and laid before you as early as it shall be possible for Robert Wilson, esq. cashier, with the aid of as many clerks as he can

employ in the service, to make an accurate statement of the condition of the bank, as it was at the time of its final close at three o'clock, P. M. on the 23d instant.

On the same day, and after that hour, a partial view of the amount of the debts and credits of the bank was exhibited to me, with information, that unless very important aid was extended to it in coin, at its opening on the 24th, it would be unable to sustain its credit another day. This announcement was made to me with a view of ascertaining whether it was probable the Union bank of Maryland would consent to extend the requisite support to the bank of Maryland. I stated that from the views I then had of the subject, that it would not only be highly improper for the Union bank, or for any other, or for all of the other banks in the city, to afford the aid which seemed absolutely necessary to effect the object of sustaining the bank of Maryland under the demands to which it was then liable, and which would, from every appearance, daily and hourly augment to a great extent, but that it would be highly unjust to the trading community generally to abstract the funds from the other banks, and thereby lessen the ability of such banks to supply the necessary and proper facilities to the merchants of the city in the ordinary course of their business: That under this conviction, I could not give any reason to hope that the object so much desired could be accomplished in the way suggested. The friends of the bank of Maryland then decided that the whole funds and effects of every nature and kind should remain in the absolute custody and care of the cashier of the bank, beyond the reach of any other person, until a final decision should be made as to the proper course to be pursued, to guard and protect, equally and rateably, the rights and interests of all the creditors of the bank. The whole of the property of the bank being thus placed in the hands of a gentleman who had been its principal officer for thirty or forty years, and in whose integrity every one had justly the most implicit confidence, time was taken for further deliberation by the president and directors of the bank of Maryland. This resulted in the conclusion by them in the course of the succeeding twenty four hours, that the bank could not properly be in the course for the transaction of business on the morning of the 24th,\* and that it was necessary that a deed of trust should be executed, at once, of all the corporate funds and effects for the equal benefit of all the creditors, for the purpose of preventing legal impediments, and especially of guarding against attachments of its property abroad by foreign or other creditors.

In this stage of the business I was applied to, to know if I would accept the trust, if the deed were made to me, and provided it subsequently met the approbation of the chief officers of the other banks in the city. I declined giving an immediate answer, but stated that I would not accept the trust unless, in the first place, the deed were made, as had been suggested by the directors, without giving a preference to any one; secondly, unless it was so drawn that I could place the collection of the claims in the hands of R. Wilson, esq. the cashier, as well as the adjustment of the accounts in such way as that the funds and effects should never come into my hands, so as to subject them to my individual control; thirdly, that the whole power and direction as to the manner in which the trust should be executed should be directed by the hon. Stevenson Archer and the hon. Thomas Beale Dorsey, or if they should decline to act in that particular, under the direction of such person or persons as they would appoint for the purpose; and fourthly, unless, as suggested by the friends of the bank, my acceptance should meet with the consent and approbation of the principal officers of the banks in the city of Baltimore.

These conditions were complied with, and the trust is now in a course of execution under the agency of R. Wilson, cashier, and will continue so until the creditors, whose interest it is the duty of the trustee to protect, shall direct otherwise. In the meantime they may be assured that every exertion which it is possible to make, shall be made to place before them, as early as practicable, a true statement of the situation of the affairs of the bank of Maryland, in order to enable them to decide upon future proceedings; and I beg them also to be assured that it is my anxious desire that they shall select some suitable gentleman to co-operate with me in the execution of the duties of trustee as early as circumstances will permit.

I am aware that rumors have been put into circulation, but by whom or for what purpose I know not, that I have a personal interest in the affairs of the bank of Maryland, or that I am in some way implicated with the institution, or with its president, and I deem the present a proper occasion to say, at once, for the purpose of silencing a rumor so offensive, under existing circumstances, to my feelings, that I am not now, nor have I ever been since the year 1804 or 1805, interested in that bank to the value of one dollar, either as an owner of stock, or a borrower from it, and that there is not now nor ever has been any connection in trade or business between the president of that bank and myself. That I have never known any thing more of the business and transactions of that bank than I have known of that of all the other banks in Baltimore, nor even as much, with the exception of its applications to the president and directors of the Union bank of Maryland for occasional facilities, by the discount of paper within the last four months, to relieve it from temporary pressures for coin. I am, respectfully,

THOMAS ELLICOTT, trustee.

March 29th, 1834.

The meeting then adjourned.

\*The 23d being Sabbath.

*To the creditors of the bank of Maryland.*

The committee appointed pursuant to a resolution adopted at a meeting of the creditors of the bank of Maryland, held at the Exchange on Friday last, the 28th ult. beg leave to report:

That the president and directors of the bank of Maryland having determined to suspend the operations of that institution, executed on the 23d of March an assignment of all the corporate property in trust for the equal benefit of the creditors; which having for its object the protection of the effects of the bank abroad from attachments, was, in the opinion of the committee, a proper and judicious measure. Looking, however, among other considerations, to the magnitude of the trust created by that assignment, the committee deemed it proper that two persons should be associated as co-trustees with Mr. Thomas Ellicott; and after due deliberation with regard to the mode of their appointment, passed the following resolution:—

*Resolved*, That this meeting proceed to the appointment of a trustee to be associated with Thomas Ellicott in the affairs of the bank of Maryland, and that Stevenson Archer and Thomas B. Dorsey be requested to select another trustee to act with said Ellicott and the trustee of this committee; and in case the said Archer and Dorsey differ in the selection of a trustee, that they have power to call in a third person to decide between them."

In pursuance of this resolution, Messrs. John B. Morris and Richard W. Gill have been appointed co-trustees with Mr. Thomas Ellicott, and having signified their acceptance, will enter upon the performance of their duties as soon as practicable.

This committee beg leave further to report, that previous to the appointment of these two gentlemen, the following resolutions were passed, and have been communicated to the trustees:—

*Resolved*, That the compensation to which said trustees shall be entitled shall be fixed from time to time as the trust progresses, by the judges of Baltimore county court, or any two of them.

*Resolved*, That said trustees be authorised and required to deposit the moneys of the bank of Maryland, as they shall be received, and such as are now on hand, with and amongst such of the creditor chartered banks of the city, in proportion to their respective claims, as shall agree to pay such interest on all sums so deposited, as the trustees shall think proper.

*Resolved*, That Robert Wilson, esq. cashier of the bank of Maryland, be recommended to the trustees as a suitable assistant to them in adjusting the affairs of the institution."

The committee, in conclusion, beg leave further to state to the creditors, that from the progress which they understand has already been made, there is a reasonable prospect that the affairs of the bank of Maryland will be brought to a speedy settlement. The trustees will, no doubt, prepare as soon as possible a statement of the actual condition of the bank, to be laid before the creditors for their information.

By order of the committee.

ALEX. BROWN, *chairman*.

CHARLES C. HARPER, *secretary*.

LEGISLATURE OF NEW YORK.

GOVERNOR'S MESSAGE.

*Fellow citizens of the senate, and of the assembly:*

Since my communication to the legislature at the commencement of the present session, the unusual derangement of the business operations of the community has been such, as in my judgment to render it the duty of the executive to call your attention to the subject.

It was not then perceived that the order of the treasury department, directing the accruing receipts of the public moneys to be deposited in the local banks instead of the bank of the U. States, could essentially interrupt the business transactions of the community; nor is it now supposed that any necessary connexion exists between that act, and the present state of commercial embarrassment.

Although it was known that the bank of the United States had commenced a rapid curtailment of its debt anterior to the action of the government upon the deposits, and had actually reduced it more than four millions of dollars during the sixty days previous to the first of October, when the order of the secretary took effect; yet as the government had directed the change to be made in a manner best calculated to avoid any pressure upon the bank or injury to the community, it was not reasonable to suppose that the occasion would have been seized for the purpose of giving an unnecessary shock to business, much less of exciting a causeless panic. Certain it is, however, that since the change referred to, such has been the attitude assumed by that institution in regard to the local banks, that the latter are unable to afford to the community those assurances of future accommodations, which are so essentially necessary to inspire confidence among business men in entering into new engagements.

The partisans of that institution, and certain presses devoted to its recharter, by systematic and persevering efforts in disseminating distrust of the credit of our moneyed institutions; particularly those of this state, of the credit of individuals, of the resources of the country, and its ability to meet the crisis; and by endeavoring to fasten on public opinion upon this net of the government as the cause of all the depression which has been experienced, as well as that which is daily predicted and held up to the public view in a distorted and exaggerated form; have

also produced an excitement among the business community, calculated essentially to aggravate the pressure, and prolong its existence.

Looking at the immense wealth and resources of the country—presenting externally, as indicated by the course of exchange, an appearance of prosperity unknown for many years, and internally, until within a short period, the same favorable appearance, as indicated by abundant crops, fair prices, active mercantile and manufacturing operations; it appears to be impossible that the existing state of things should have sprung from a cause so inadequate as the mere substitution of one place for another as the depository of the accruing receipts by the government.

Although the removal of the deposits, effected as it was prospectively, and operating upon the funds in hand, not by withdrawing the whole suddenly, but gradually, as the wants of the government required, furnished of itself no sufficient cause for the results which in point of time have followed it; yet it is said that its operation has been to derange the currency, to destroy confidence, and thus to produce the present embarrassment.

It is undoubtedly true that much of the pressure upon the money market has been occasioned by the destruction of confidence, but it is not easy to perceive how that is to be charged as the necessary consequence of the action of the government. It is the consequence of the attitude assumed by the bank of the United States towards other banks—an attitude not necessary, although its advocates attempt to justify it, either as a measure of retaliation upon the government, or for the purpose of compelling those institutions to surrender or to refuse to accept the public deposits.

Nor is it easy to perceive how the action of the government should of necessity derange the currency or the commercial operations of the country, through the medium of domestic exchanges. The ability of the bank to conduct all ordinary business, has not been essentially impaired, and its amount of discounted bills of exchange is at this moment as large or about as large as it ever has been. Whatever inconveniences may have resulted from its refusal hitherto to furnish draughts at sight between its different offices at the usual rates, (and these inconveniences undoubtedly have been great), would seem, therefore, to be of its own creation, or the result of that position in regard to the other banks which it has chosen to assume.

It is believed that the principal causes of the present embarrassment have no essential connexion with the removal of the deposits.

In December, 1830, the bank of the United States commenced a rapid increase of its loans and circulation, and continued augmenting them until May, 1832, having within that period added about twenty-eight millions of dollars to its accommodations to the public, and over four millions to its notes in circulation. The necessary consequence of such a large and sudden increase of facilities to business men, was to encourage a corresponding liberality on the part of the local banks, over action in trade, and to stimulate to excess the industry and enterprise of the country. At all events, since that period, foreign commercial operations, domestic trade and manufactures, speculation in stocks, lands and produce, have been carried on to an extent and upon a scale before entirely unknown.

The policy of contraction on the part of the bank, which immediately followed this unexampled expansion, had scarcely been commenced when the tariff law of July, 1832, went into effect, the operation of which, with its subsequent modification, was well calculated to develop the injurious consequences of the overtrading which had preceded.

Under the former law, duties to the amount of about fifteen millions annually, accrued upon imports at the port of N. York, the payment of which was secured by bonds payable at different periods, some as long as eighteen months. As the merchandise was generally sold by the importer, soon after the execution of his bond for the duties, it is obvious that the credit afforded by the government, was to him equivalent to so much capital until the time of payment should arrive. Before this time a fresh importation enabled him to create a new credit, and thus a very large amount of capital was constantly in use among those engaged in commercial pursuits.

The law of July, 1832, considerably reduced the amount of duties, while that of 1833, operated still further to diminish the capital of the importer thus derived from government credits, by admitting many new articles to the free list, by shortening the bonds in some cases, and by substituting cash payments on many articles subject to duty.

This law took effect on the fourth of March, 1833, and during the past year the bonds of the preceding have been falling due, while the shortened bonds and cash duties have created an additional demand for money, thus casting upon the importer the burthen of repaying the capital formerly loaned to him by the government, and also of paying the cash duties required upon his recent importations. It has been estimated that the effect of this law has been equivalent to the withdrawal from commercial investments of from twelve to thirteen millions of capital.

The depressed rate of foreign exchange also, although an indication favorable to the general condition of the country, has it is understood, prevented the drawing of considerable sums of money from Europe, the proceeds of produce as well as of stocks sold abroad.

These causes, together with the rapid curtailment of its debt by the United States bank, between the 1st days of August and

December, amounting to nearly ten millions of dollars, and all operating upon a state of trade unusually and extravagantly extended, are supposed to be sufficient to account for most of the distress hitherto experienced.

The severity of the pressure in New York, has undoubtedly been very much mitigated, by placing the public deposits in the local banks, which have thereby been enabled to discount, and have actually discounted upwards of four millions more than they otherwise could have done.

And as the charter was soon to expire, and the bank had actually commenced its curtailments some time previous to the action of the government, that action would seem to have been indispensably necessary for the protection of the public, so far as the funds of the government would afford the means. This measure, however, which as we have seen, involved no necessary destruction of individual confidence or credit, no necessary derangement of ordinary commercial operations, much less any necessity for the panic which has followed, has furnished to the bank the pretext for placing itself in a new and menacing attitude, and to its partisans the occasion of wantonly sporting with the fears of the timid, the standing of the weak, the stability of the currency, and the credit of our moneyed institutions.

This corporation, brought into existence for the purpose of subserving the general good, (if for any justifiable purpose), seems to be bending the whole of its prodigious energies towards compelling the people, by force of pecuniary suffering, to acknowledge the necessity of its recharter.

Our constituents have distinctly expressed their unbiassed judgment upon the question of recharter; and I cannot doubt that they possess sufficient patriotism to meet any crisis, which the controversy may produce, and that in the maintenance of principles of vital importance to themselves and to posterity, they will be ready to endure any pecuniary privation, rather than submit to the dictation of a great moneyed power.

From recent debates in the national legislature; from the tone of the presses which advocate the cause of the bank; from the language of public meetings; from the organizations of party; and from other indications too plain to be mistaken, the efforts on the part of the bank seem to be directed especially against the moneyed institutions and the business relations of the state of New York. Under such circumstances, I deem it the imperative duty of the state, to put forth its energies to aid these institutions in the struggle, and to protect its citizens from oppression. Connected as these institutions are, with the industry and prosperity of the state, all classes of our constituents, whether agricultural, mercantile or manufacturing are equally interested in their welfare.

I am furnished by the bank commissioners, with a statement of the condition of the banks subject to their supervision on the fourth of March Instant, by which it appears that their circulation had been diminished since the first day of January last, more than three millions of dollars; and that the country institutions, or those located out of the cities of New York and Albany, while they had reduced their loans and discounts only about \$600,000, had reduced their circulation about two millions of dollars. The entire resources of the country banks on the 4th of March, excluding the bank fund, amounted to \$21,984,000, and their entire liabilities to \$12,462,000. Notwithstanding the redemption between those dates, of about two millions of their paper, the reduction of the specie was less than \$25,000; and their immediate means of redemption, consisting of specie at home and funds on deposit in Albany and New York, subject to be drawn at sight, amounted to more than thirty-five per cent. of their whole circulation.

So far, therefore, as the banks themselves are concerned, I entertain not the slightest doubt, either of their present or future ability to meet any crisis that can occur; but under a state of things which may be imagined, a proper regard for their own safety, may put it out of their power to afford those accommodations to the public, which its interests may require.

The bank of the United States has recently declared its intention to continue its curtailments, but in what ratio we know not. It probably has due to it in this state about seven millions; and what portion of this amount our citizens may be called upon to pay before the next session of the legislature, cannot now be determined. If this amount shall be called in rapidly, our banks must necessarily strengthen themselves by calling in a portion of their debt; and thus it will be in the power of the bank of the United States, if it should have the disposition, to occasion serious embarrassment to all classes of the community, unless the legislature make some suitable provision to guard against such a result.

It has been suggested to me by several intelligent and practical gentlemen from the city of New York, for whom and for whose opinion I entertain the highest respect, and who, I am sure, were governed by no motives of individual interest in the matter, that the establishment of a large banking institution in that city was called for at the present time. A capital of eight or ten millions was mentioned; and it was proposed that the state should take one half, and pay for it by a state stock, bearing an interest of four or five per cent. redeemable at the expiration of the charter; the balance of stock to be distributed by commissioners to be appointed by the governor and senate, or in such other manner as should be thought best; the state to appoint its share of directors; the rate of discount to be fixed at six per cent. and if deemed proper, the surplus profits over six or seven per cent. per annum to be paid into the state treasury; the institution to issue no notes under twenty dollars, and in other re-

spects to be made subject to the general laws of the state, reserving to the legislature the usual right to modify or repeal the charter.

It was urged that the stock issued by the state might readily be disposed of in Europe for specie, and that such a charter would furnish a sufficient inducement to insure the necessary subscriptions for the residue of the capital; that such an institution would be able to take the debt now due to the United States' bank in this state, whenever it should be called in; to furnish the requisite facilities to the commercial interests of the city of New York in the discount and collection of domestic exchange; to acquire a character in Europe which would enable it to sustain mercantile credit in times of revulsion in trade; and, in short, to exercise a healthful influence over all the diversified interests of that great city, and consequently over every branch of industry throughout the state.

Although many of the advantages anticipated from an institution of such a character, might and probably would be realized, there are, nevertheless, objections to this proposition, of serious if not preponderating weight. It is deemed by many to be objectionable in principle for any government to engage in the ordinary pursuits of individual enterprise. Such an institution, possessing ample powers over the currency of the state, which, properly directed, might be productive of salutary effects, might also, by a misdirection of its efforts, be equally capable of producing serious and extensive injury. It might in its administration be subject to the fluctuations of political power, and thereby be in danger of becoming an engine wielded to subvert the interests of a party. It might, by the acquisition of political influence, paralyze the controlling power reserved to the legislature; it might, for the purpose of acquiring this influence, openly take the field of party politics, and exhibit the disgusting spectacle, with which we are already too familiar, of a large moneyed corporation arrayed in political opposition to the government of the country.

Unless, therefore, such an institution, or one of a somewhat similar character, should be found indispensably necessary to enable us to counteract a greater evil, I should be unwilling to hazard so dangerous an experiment.

It has occurred to me, that a remedy, as well for the existing evil, as for the inconvenience which may in any event result from the withdrawal of the capital now employed by the bank in this state, may be provided, by the issue of a state stock, if necessary, to the amount of four or five millions of dollars, and by increasing the ability of the banks in the city of New York with loans of this stock, in such manner as would be perfectly safe to the state, and at the same time enable them to extend their accommodations so as to supply the amount of capital to be withdrawn by the branch in that city. It is due to the city banks to say, that this suggestion does not proceed from them; they have thus far sustained themselves with creditable ability, and feel a perfect confidence in their resources to do so under any emergency that may happen; but the suggestion is intended for the relief of the whole community, by sustaining the markets for our agricultural and manufactured productions, and giving activity and vigor to commercial enterprise.

Should this measure be adopted, the necessity will at once be perceived of imposing upon certain persons to be designated by the legislature, the power and responsibility of carrying it into effect. Ample provision should be made to secure the regular payment of interest, and the ultimate redemption of the stock by the banks to which the loans may be made, so that the state will neither be subject to inconvenience, nor incur any responsibility beyond the loan of its credit to stable and well conducted institutions. It may also be necessary to provide, that during the continuance of the loans to the banks, they shall possess the power of discounting upon them as upon so much additional capital, without allowing them to extend their circulation beyond the limits now prescribed by law. The banks in New York, from their position, must necessarily meet and sustain the first shock of any pressure upon the money market, and by strengthening them, therefore, we aid every branch of industry throughout the state. A depression in the city necessarily affects prices in the country, and operates to the injury of the agricultural, as well as the manufacturing and mercantile interests of the whole state. Should it be deemed advisable, a portion of this stock might be disposed of, and the avails loaned in the different counties of the state through the agency of the county loan officers, as has heretofore been done on several occasions, to the great relief of the community.

It is not doubted that the state, by the loan of its credit in some such manner, may, without incurring any loss or inconvenience, do much to sustain the great interests of the people, if the necessity for it should arise; and I cannot entertain the slightest doubt that the measure would meet with their cordial approbation.

Being perfectly satisfied, that the energies and resources of this state, will enable it to bear up against any temporary depression of business which can be anticipated; that in this desperate struggle by a great moneyed power to perpetuate its own existence by the force of its pressure upon the community, the patriotism of the people will be found to rise, regardless of mere pecuniary sacrifices; and that it is the duty of the state to stand forth in its strength; and by the use of its credit and the sanction of its name, to shield its Institutions and its citizens from harm; I commit the entire subject to your deliberate consideration.

W. L. MARCY.

Albany, March 23, 1834.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The present sheet contains important notices of the proceedings of the house of representatives, in relation to the bank of the United States. They are not, however, final; though strongly indicative of what may be expected when other questions on the same subject shall be raised.

The resolutions attached to the report of the committee of ways and means, were ingeniously prepared. The leading—and, indeed, as we esteem it, the only question that naturally offered itself for presentation, was the expression of an opinion on the sufficiency of the reasons of the secretary of the treasury for the removal of the public deposits. But this was rather evaded than decided, unless indirectly; and, mixed up with other things, the votes given are calculated to make erroneous impressions on the minds of the people.

A call for the previous question being seconded and enforced, 116 to 107, the pending amendments were cut-off, and others were not admissible. That this *forcing* of the question, and on the day that it was forced, had been agreed upon, seems undoubted—for the result consummated, it was freely said, in advance, would be attempted. Several of the members, however, were not in the secret—and so missed an opportunity to record their votes.

The main question, “that the public deposits ought not to be restored” was decided in the affirmative, 118 to 103—as will be seen in a subsequent page. Those concerning the recharter of the bank, and the appointment of a committee to investigate its proceedings, &c. do not settle any thing. There are several against the recharter who would vote for the bank, or a bank, with a modified charter; but the naked question was presented as to a renewal of the *present* charter, and, explanations not being permitted, they were compelled to vote against it.

The main question was decided on party grounds. The distinguished member from New York, Mr. Lawrence, the candidate of the party for mayor of that city, has said, as we see it published in the papers—

“The motion to return the deposits is justly considered an attack upon the president, and it is resisted on that account!”

And we have hardly yet met with an intelligent member of the party, however much opposed to the bank, from constitutional principles or otherwise, who has not admitted that the removal of the deposits was wrong; but most of them said, “the president must be supported!” We shall recur to these matters at a future day.

The question on the renewal of the charter of the old bank of the United States was made a party one by the “democrats of '98,” because of a very generally entertained belief, (whether well or ill founded it is not worth while to inquire), that it granted or refused its accommodations to individuals in proportion to their zeal for or against the “federal” party. Such was the general belief. But until the assault of the president of the United States on the present bank, who ever suspected that it meddled in politics? Did not Mr. Van Buren, vice president, even so late as 1826, with Mr. Butler, the present attorney-general of the United States, Mr. Marcy, the present governor of New York, and others of the highest class of present politicians, earnestly entreat the bank to establish a branch at Albany? Would they have asked the location of a “monster” in the midst of them? Had it ever been said that political party influenced the appointment of directors of the bank, or its offices? Was not the generally acting president of the bank, in the absence of Mr. Bidde, until lately a “Jackson man”? Are there not “Jackson men” even yet in all the offices? Indeed we are informed that, in several of them, a majority were “Jackson men,” at the time of their appointment, and perhaps, yet remain so, except on

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this weighty question! How was it in “democratic” Pennsylvania less than two years ago? Every body was in favor of the bank! How with gov. Wolf some months ago? The bank had not a better friend than he was! And so we might go on for an hour—but it is unnecessary. It is president Jackson who has caused the results on the bank questions to be made thro’ the force of political party. The bank, admitting all that is said to be true, has not, in our opinion, expended so much money in defending herself, as has been expended at the late election held in the city of New York, alone, by persons holding offices there, that the “spoils of victory” may be and remain with them.

The question even concerning the *renewal* of the charter of the bank, was not made a party one, until forced by the president's veto. The bill to renew it passed the house of representatives on the 3d July, 1832, 107 to 85, many of the most sturdy and “entire” friends of the president voting for it, having passed the senate on the 11th of the preceding month 28 to 20, Messrs. Dallas, Wilkins, &c. in the affirmative. In both houses there were large “Jackson” majorities. The veto, however, came, (the act of one man against such decided votes in both houses), on the 10th July—and then, for the first time, did the affairs of the bank begin to assume a political character, so far as the “Jackson” or “anti-Jackson parties” were concerned. And in further proof, yet, even yet, Messrs. Dallas and Wilkins voted to pass the bank bill, the veto of the president notwithstanding, though as thorough-party men as any in congress, in pursuance of the almost unanimous instructions of both branches of the “democratic” legislature of Pennsylvania! And it will be recollected, that, only about thirteen months ago, and in 1833, the house rejected a proposition to sell the stock, and declared that it was a safe depository of the public money—which, however, was withdrawn by the president, six or seven months afterwards—to wit, on the 1st October, 1833.

The “experiment” gathers strength as it proceeds—distress is heaped on distress, loss upon loss, and bankruptcy on bankruptcy—without one ray of hope to cheer a suffering people, unless, in the majesty of their own strength, they shall arise and arrest the downward course of things. We have advices of the stopping of many additional factories, of the discharge of many working people in numerous employments, and of a daily increasing pressure for money—though much specie is now being imported, at a ruinous rate, and in sacrifices of property that will not be easily recovered; and yet this specie seems as if it served only *personal* purposes—not relieving the general want of money, because of the general want of confidence. A severely reduced business and the ruin of business-men, with the non-employment of the laboring classes, is, certainly, reducing the demand for money on business paper at the banks—but what are to be the effects of such reductions? Let reflecting men think of them!

Evil reports are started as to the condition of many of the banks in Pennsylvania, Virginia, &c. and runs have been made upon them, without reasonable cause. But the Washington city papers have the following official announcement of the failure of another bank. The effect is, that the notes of all the District banks are refused in this city, for the present.

The bank of Washington announces to the public its inability to continue, for the present, specie payments. In adopting this necessitous and unpleasant course, the directors confidently assert, that the affairs of the institution are safe, and capable to meet all its engagements. Under the general distrust which prevails, the bank is reluctantly compelled to declare its inability longer to discharge its engagements, for the present, in gold and silver. It will proceed to collect its means as fast as the times will authorize, and fairly and fully pay all its creditors;

and in this, entire confidence may be reposed. By the unanimous order of the board, R. C. WEIGHTMAN, cashier. April 11, 1834.

We have always understood that this bank was prudently managed—but banks are like individuals. Neither property nor credit avails much, in this season of pressure; and many that could have paid their debts ten dollars for one, a year ago, are now hard put to it to pay them at all.

The following article was prepared for last week's REGISTER—but deferred for want of room.

It is a great misfortune that the question as to a restoration of the public deposits was suffered to run into that concerning a renewal of the charter of the present bank of the United States. It was not the will of the friends of a national bank that it should have been so; but the other party, in pursuit of its original design to destroy the present bank, with a general view, perhaps, to the establishment of a political one, forced the connexion, and the removal of the deposits, by the president, rallied this party, and pushed it into action against the currency of the country. And if this shall not prove sufficient, the power of the veto is held in reserve!

Some gentlemen have said that a restoration of the deposits, without a renewal, or extension, of the charter of the bank, would do no good. With certain of these we feel great delicacy in dissenting—but still must dissent. A simple restoration of the deposits might not much, if any, relieve the pressure on the money market by enabling the bank to discount more freely—but, serving as a pledge that the bank would not be disturbed in its rightful and necessary operations, though a resolution be manifest that it shall die a natural death at the expiration of the term of its charter, the bank will calculate her means and freely use them, with greater safety to herself, and the great effect be a restoration of PUBLIC CONFIDENCE, which would relieve the present sudden and severe pressure, and enable persons in business, also, to make calculations on their means, with a view to a liberal use of them for the time being, and a gradual gathering-in of them as future circumstances should indicate the necessity of doing. But, without such restoration, the war, as it may well be called, of "the government" against the bank, by compelling the bank to defend herself, and each of her branches, (not knowing where an assault may be made), so acts and must act, for self-preservation, as to forbid full confidence in money transactions, until, perhaps, the last year in which it will be permitted to do business in winding up its concerns; and we see no possible way in which this state of things can be speedily and safely changed, in the relations at present existing between the government and the bank: for those causes which forbid the free operations of the bank of the United States, affect all the state banks in the same manner—and the possessor of the best paper which can be made has no certainty that he can obtain an accommodation upon it, as heretofore. And although it is the fashion to accuse the bank of the U. States of causing the pressure, though as we have said in another place, the line of its discounts has not been so much reduced as the line of its deposits, since October last\*—the truth is, that the state banks, in general, and other money-lending institutions, have reduced their discounts at a more rapid rate. And in gov. Marcy's late message it is stated that the 67 banks in New York, under charge of the commissioners of the safety fund, have reduced their circulation *three millions*, since the 1st of January last!—but the circulation of the bank of the United States is greater now than it was in October.

The action of "the government" against the bank began in the president's message to congress of 7th Dec.

*Loans, Oct. 1, 1833,	60,094,202		
April 1, 1834,	54,806,817		
Reduction of loans,	\$5,287,385		
Deposites, Oct. 1, 1833,	public,	9,838,435	
	private,	8,003,862	
		17,877,297	
" April 1, 1834,	public,	2,992,866	
	private,	7,166,223	
		10,099,094	
Reduction of deposits,		\$7,778,203	

1829. It was even then thought by him the time had arrived when a winding-up of its affairs should be looked to—and yet the bank is blamed for the pressure, because of a present curtailment of its discounts at a less rate than the curtailment of its deposits! What can be done by the bank to appease its enemies! There is no pleasing—either by discounting freely, or in withholding discounts! It was said to be an unsafe depository of the public money, and is yet charged, on high authority, with having an ability to relieve the money market, and of refusing to do it!

Such wretched inconsistencies in times of less excitement than the present, would cause one to suspect the sanity of those who are guilty of them. Yesterday, the bank was "a reptile to be crushed at will"—to day, it is a "monster," and its president the "money-king!"

But this is manifest, that, without a restoration of the public deposits, and of the PUBLIC CONFIDENCE which would flow from that measure, the present evils must be increased, so far as they shall depend upon the proceedings of the bank—for, having no favor to expect of "the government," it must begin a serious retirement of its business. On the first of March last, its discounts amounted to 56 millions of dollars, and it then had 48 months only to close its affairs, being allowed 2 years after the expiration of the charter for that purpose. To meet the case the discount line must be reduced nearly \$1,200,000 a month, or exactly fourteen millions a year, for these 4 years. Has any one calculated the effects of such a reduction? From whence will the needful supply of "money" be obtained? The supply cannot be obtained, without great public and private sacrifices of property or credit. Indeed, we fear that it cannot be obtained at all in "money" to be regarded as the equivalent of coin. But, if in this pressure the bank shall force the payment of the debts due to it, what will result?

With a restoration of the deposits, in our humble opinion, this great good might be accomplished, without any regard to a renewal of the charter, or the establishment of another national bank—The bank, for its own interest, would endeavor to collect its debts with all possible rapidity consistent with a due regard for the convenience, or solvency, of its debtors; and if, towards the expiration of the time allowed for closing its concerns, it should appear that its debts cannot be collected without causing great public distress, a brief indulgence might be expected as to time, in the same manner and spirit as the bank shall feel it necessary to indulge her debtors. But as things are, and without a restoration of the deposits, the bank cannot hope for any such indulgence on the part of "the government," nor extend its indulgence to others.

As to the public deposits—the sum of them may not long be a matter of much importance to the bank or the public, speaking of them with regard to their amount in dollars, only.

It will be recollected that, some months ago, we laughed at the fears of the wise ones, as to the vast heaps of money that would remain locked up in the treasury of the United States, or in the selected banks! Certain of these wise ones, we think, in about September last, apprehended that some twenty or thirty millions of dollars would remain as surplus funds, and they didn't "know what in the mischief" to do with them! We told them to "keep cool"—but were thought reckless when we suggested it as being within the range of possibility, that the calls upon the treasury, in the year 1834, might not be satisfied as they ought, without borrowing money! Well—soon after we had the president's message at the opening of the session of congress, and the secretary of the treasury's annual report, both of which contained exhortations to keep down the amount of the appropriations, shewing it was probable that it would be "touch and go" between the expenditures and the receipts, and that a small balance of available funds only would remain in the treasury. The wise ones rubbed their eyes, and read these parts of the message and report twice over, and wondered and wondered, saying "how can this be?" We had stated why it would or might be—but were not "democratic" enough to be believed; it then being the will of the party that the people should be alarmed at the excess of money that must remain idle in the treasury! The reason of things, with the increased expenditures,

and, in some cases, prodigal uses of the public money (instance in the post office department), were all disregarded—the people were to be made to believe that the treasury would become oppressive by its repletion!

We have recurred to this subject on seeing the following statement in the newspapers:

The revenue of Boston from January 1st to December 31st, 1832, was \$5,424,839 36; from January 1st to December 31st, 1833, \$3,895,036 71. The revenue arising on merchandise imported from January 1st to March 31st of this year, \$642,200 00—during the same time last year, \$913,600 00. The number of foreign arrivals up to March 31st, 1834, 150; during the same time last year, 153—the number of foreign clearances for the same time this year 170—the clearances last year during the corresponding time, was 158.

This shews a reduction of the revenue at Boston, 1832 being compared with 1833, in the sum of 1,529,803 dollars; and yet further a reduction in the first quarter of 1834 compared with that of 1833, of 271,400 dollars, or at the rate of \$1,085,600 for the year—which if maintained, will give only \$2,809,430 in 1834, to be compared with \$5,424,839, in 1832—difference \$2,615,409.

An important report of the state of the United States bank, on the 1st of April, has been made. It shews that the bank, instead of acting to increase the pressure, has acted to relieve it—the line of the discounts, compared with that of the deposits, being reduced nearly three millions less since the 1st October, 1833! And also shewing that the present state of the balances with the state banks was 2,195,489 dollars on the 1st instant, in favor of the bank of the United States. The bank, however, is about to begin a reduction of its discounts. This report was received too late for the present number of the REGISTER.

It will be seen that the house of representatives, on Tuesday last, refused leave to print an amendment to the appropriation bill, offered by Mr. Vance, by which it is proposed to reduce the salaries of many officers of the United States, (beginning with the the president, and ending with the tide waiters, including clerks in all public offices, and agents and sub-agents of all sorts), *thirty-three per cent.* For the leave 105, against it 67—two-thirds being required, the leave was not granted. See the yeas and nays.

The present is an auspicious season for this glorious "retrenchment!" The "East Room" is furnished—the bare mention of which a few years ago, threw all the friends of economy into "the horrors," though a wilful falsehood—and we see it stated that plates of gold are used at Washington; and now let us have a little of the long and loudly promised "reform!" A reduction of thirty-three per cent. on the salaries of the army of public officers, would be of infinite service in purging the political atmosphere, and, we hope, will be effected. We do not see why these should be set aside as a *privileged class, a peculiar people*, rioting on the distress of the farmers and mechanics and other honest men, and insulting honorable labor in the "spoils" made upon it. It would also tend to preserve the purity of our elections, or at least diminish the amount of frauds committed. We have seen it repeatedly said that these highly favored persons have been sometimes assessed as high as 10 per cent. on their salaries for electioneering purposes, and compelled to pay it, under the fear of being dismissed!\* Now the full battalion employed at the N. York custom house, (323 men), receive 340,000 dollars a year—10 per cent. on which, for obtaining or making votes, is 34,000 dollars; but if their aggregate salaries be reduced one-third, or to 227,000 dollars, the election money, at the same rate of assessment, will amount only to 22,700 dollars! How many perjuries may be prevented by this retrenchment! In Baltimore, the pay of the custom house officers is only about \$45,000—and some of them, we are certain, do not submit to the assessment above stated; but others are exceedingly busy in all electioneering matters, and appear to spend money freely. We may see how it will be under a thirty-three and a third per cent. reduction of their salaries. But even then a few of them will possibly receive from 10 to 20 dollars an hour, for every hour actually employed in the business of the customs.

\*Some few however, to their honor be it said we are sure have refused to pay their assessment for corruption.

The appreciated value of money will justify the proposed reductions—and if "we the people" must suffer under "the experiment," let the public officers partake of our fare; let the same measure be meted to them which is meted to us. If this matter shall fail in the house, it will, certainly, pass the senate, through the able support of col. Benton, in that body—without it, he, surely, will not vote for any appropriation bill.

We heartily thank Mr. Vance for his amendment offered to the appropriation bill, as above stated. *A mighty good will be effected by its passage; and we have a strong hope that it will be, or that the bill, itself, will fail!* Under times require energy, and it will not be wanting. The such a reduction of salaries, the *ins* will be less zealous to retain what they have, and *outs* less anxious to get their noses into the public trough; and the people, less disturbed by the squealings of both parties, the granters here and the grunthers there, will more quietly attend to their own business, and more clearly discern the true interests of the country. The proposed reduction is also just. The salaries were increased, some years ago, because of the depreciated value of money, compared with the cost of subsistence, &c. and now ought to be reduced on account of the appreciated value of money. The wages of *working people* have fallen, or will fall, more than one-third—and so should the wages of the *public officers*.

We noticed some time ago, the presentation of a memorial to congress, praying for a restoration of the deposits, signed "by sundry merchants and traders from the interior of the United States then [1st March, 1834] in Philadelphia." As a matter of information, and to give an idea of the number of such merchants sometimes present in Philadelphia and other cities, it may be mentioned, that the number of the signers of this memorial is about 280; but what allowanees should be made for others who, though then in the city, either had not an opportunity to sign or refused to sign this memorial, we cannot pretend to guess.

The residences of the gentlemen are given, and the following is their distribution, viz: Kentucky 125, Missouri 23, Tennessee 21, Ohio 44, Pennsylvania 10, Illinois 5, Virginia 6, Indiana 17, Louisiana 1, Mississippi, 7, Alabama 5, Connecticut 2, New York 2, Delaware 1, Massachusetts 1, North Carolina 2, Georgia 1, &c.

The particulars of the instruction to Isaac McKim, esq. one of the Maryland delegation in the house of representatives, will be found in a subsequent page. To the best of our recollection, this is the first regular transaction of its kind that has happened—wherein a large majority of the *bona fide* voters of a district have so acted. It is, on this account, specially worthy of a record. The "instruction" was presented to Mr. McKim on Thursday last week, and, though it was a matter of considerable notoriety that an attempt would be made to force a decision on the resolutions attached to the report of the committee of ways and means on the following day, through the agency of the previous question, he so far respected the voice of his constituents as to decline voting, and to proceed to Baltimore, for a more close investigation of the facts stated. On the list of names are hundreds of persons who voted for Mr. McKim—but who had not, at that time, appreciated the effect of a removal of the public deposits.

We copy the report of the joint committee of the legislature of New York, on gov. Marcy's special message, inserted in our last, with the bill annexed—which we suppose has become a law. The opponents of this law say that it "mortgages" the state; and the 10th section looks very much like it. We think that we never before knew a similar principle recognized. If the money, or credit, borrowed, is not paid by the borrowers, it seems that the deficit is to be made up by a general tax on the county in which the deficiency happens, with interest and costs! Those concerned will refer to it, and see if our reading is a correct one.

†The project is also to reduce the per diem of members of congress from 8 to 6 dollars.

Mr. *Wise* a member of the house of representatives from Virginia, has addressed a brief letter to his constituents, on account of his absence when the votes on the resolutions attached to the report of the committee of ways and means were taken on the 4th inst.

He says that he had proceeded to Baltimore to meet his family—they had not arrived as he expected, and he remained to receive them, not apprehensive that the "gag law" would so soon be again applied. He adds, that if he had been present, he should have voted against the previous question, and for the resolution of Mr. *Wilde*, declaring the reasons of the secretary of the treasury insufficient, &c. if the previous question had not been carried—that, though he disapproves of the charter of the present bank, he "should have voted against the 1st resolution of the committee, declaring "that the bank of United States ought not to be rechartered," with the understanding that the bank should be rechartered under various modifications."

Adding—

I should have voted against the second resolution declaring "that the public deposits ought not to be restored," &c. and against the third, declaring that the state banks ought to be continued as the places of deposit," &c. and I should have voted for the fourth resolution, ordering an investigation into the conduct and concerns of the bank of the United States, and an inquiry into its alleged corruptions, abuses and malpractices, not only because, if such corruptions, abuses and malpractices exist, I wish them exposed and corrected, but mainly because I desire all the light to be revealed which can possibly be shed on this vexed subject, that we may see and remedy the defects, and know and avoid the dangers of this present bank and its administration, in creating any similar institution which may hereafter, and which I hope will hereafter, be incorporated.

Having thus discharged a duty to myself in warding off any unjust imputation which might have been made, of skulking from my post in times like these, when the country expects "every man to do his duty," and my duty to you by putting you in possession of my votes and opinions which were concealed by my absence, I will conclude by saying, that, though the laws and the constitution be hard pressed upon by abuses of the powers of government, tolerated by a blind party spirit, yet there is a rebounding elasticity in the spirit of our institutions, which will react and restore all things to their wonted equilibrium. The people must guard and preserve that spirit now, by their own vigilance and majesty.

Under a due sense of responsibility and obligation, I am, fellow citizens, your humble servant,  
HENRY A. WISE.  
Washington, April 5, 1834.

Mr. *Turner*, one of the delegation from Maryland in congress, and representing Baltimore and Hartford counties, has addressed a letter to the public wherein he speaks freely, and well, of some remarks in the "government paper," as he calls the "Globe," in which he has been treated with much disrespect, for his vote on the resolutions reported by the committee of ways and means. The time was, when the official paper, conducted by gentlemen, however much its editors might differ in opinion with members of congress on particular points, never forgot the courtesy due to the honorable place held by them, unless in personal defence, and not often even under such circumstances—but now any refusal to go all lengths with "the government"—seems a sufficient justification for the editor of the official print to treat members of congress as he would a political opponent at a gathering of persons in a roads tavern, at night.

Mr. *Turner* states that he always thought the removal of the deposits would be productive of ruinous consequences—that the measure was "a rash experiment," and that, though he had been an ardent supporter of the present chief magistrate, he could not sustain him in this proceeding. He also says that though he unhesitatingly voted against a renewal of the charter of the present bank, he would vote for a national bank, modified and improved, &c.

Mr. *Heath*, from the city of Baltimore, voted with Mr. *Turner*, on the naked proposition concerning the recharter of the bank—but would renew its charter, we understand, with certain modifications. The screws of the previous question, however, and the address of the anti-bank committee, in framing and dove-tailing the resolutions, forbade an explanation, and causes the vote on this question to appear in a false light.

The "Alexandria Gazette," with reference to the late speech of Mr. *McDuffie*, gives us to understand that he

announced a determination to retire from public service, in the congress of the United States.

Mr. *Wilde's* speech in the house of representatives, in favor of a restoration of the public deposits fills the four capacious pages, (less one column, of the "National Intelligencer"), of Wednesday last week! It concludes as follows—

We are told this "experiment" will not be abandoned whatever may be the consequences, until it has been tried and fails. And what sort of experiment is it? The president has the agriculture, commerce, manufactures and constitution of the country with a large portion of the fortunes and happiness of twelve millions of people in his crucible. It is on the subterranean fire of the palace, and we can all discern through the smoke, what alchemist it is, that promises to extract a metallic currency out of misery, and ruin, and to restore the golden age. The cries of the wretches whose substance is consuming in this wretched caldron, are drowned by the attendant spirits in bursts of mocking laughter, mixed with taunts and bitter irony. One gibbering elf traces a caricature upon the walls, and calls it "PANIC DAY." A voice of unearthly music, sweet and scornful as the accents of Archangel ruined, rings in the sufferer's ears the scoffing exhortation, "groan sinners groan!" while the guardian angels of the treasury, unable to be heard amid the din, hold up a mighty scroll labelled "BANK INVESTIGATION."

Perhaps no two other persons in the United States stand higher in the estimation of worthy and intelligent men, than *James Madison* and *William White*. The first is the father of our constitution, and entered the 84th year of his age on the 16th of March last. The second is the father of the Protestant Episcopal church in America, being its first bishop, and said also to be the oldest Protestant bishop living, entered his 87th year on the 4th instant. Though the bodily strength of these illustrious men (as well as that of judge *Marshall*, who must be placed in their rank), is much lessened, their power of mind does not appear to be diminished. It would be worth a journey from Boston to Washington, to see the three named all together! Such a trio of talent and character and goodness, has not, perhaps, ever yet met.

We have only a few and partial returns of the Virginia elections. So far there does not appear to be any material change in the political character of the members of the legislature chosen. We shall have many returns for our next.

The New York local or town elections have just been or are about to be held. In the opposing accounts, it is hard to ascertain the truth—but it would appear that there has been a great rallying against the general administration, and that of the state government. We shall know the real state of things in a few days, the N. York city election for mayor, &c. being now over.

The New York city election for mayor, aldermen, &c. commenced on Tuesday last, and was continued on Wednesday and concluded on Thursday. We cannot know the result until this evening (Saturday), and, of course, too late for this paper. We have some account of what happened on Tuesday, and as late as ½ past 1 o'clock on Wednesday, which we shall briefly notice.

It rained heavily, and sometimes in torrents, on Tuesday, but it had no effect to reduce the temperament of the people, and the extraordinary number of 20,257 votes were polled on that day, being 6,416 more than was polled on the 1st day in 1832, and 3,000 more than in the three days of the November election, 1833.

From what we have heretofore briefly mentioned, our readers will have entertained some idea of the arrangement, resolution and energy of the parties to this contest—but the reality has gone far beyond anything that we expected. The parties seem to have been engaged in a death struggle: the public officers and all their dependents, with the friends of the general and state governments, on the one side—and the merchants and traders, and mechanics, and opponents of the general and state governments, on the other. Business of all sorts was nearly suspended—at 12 M. the flag of the union was hoisted each day on the exchange, the building was then deserted, and the stores in all parts of the city generally closed, that every man might go to the polls!

\*Mr. *Forsyth*, in the senate.

James Thomas Compton

At most of the wards in which the anti-Jackson men expected a majority, the election proceeded as peaceably as could have been hoped in such a state of excitement—but in the 6th and 11th wards there was much violence and confusion. The former has sometimes been called the *office-holders* ward, being the residence of many of them, and the latter is thought to be the strongest in their favor. In the 6th, "the party" commenced with a general attack on the committee room of their opponents, and possessed themselves of it, tearing down the banners, and destroying the ballots, &c. Many were armed with bludgeons, and some with knives. They were headed by an ex-alderman—and knocked down about 20 persons, one man was reported killed,\* and several injured, one so much so that he was carried off lifeless, but, recovering, he again took his place at the polls. The mayor was called upon for aid, but said that he could not render it, all his force being already on duty. In this emergency, a meeting was called at the Masonic Hall, and four thousand "Whigs" attended it. Gen. *Robert Bogardus*, was called to the chair and the following resolutions passed:

*Whereas* the authority of the POLICE of the city has been set at defiance by a band of hirelings, mercenaries and bullies in the 6th ward, and the LIVES of our fellow citizens put in jeopardy; *And whereas* it is evident that we are in a state of ANARCHY which requires the prompt and efficient interposition of every friend of good order who is disposed to sustain the constitution and the laws—therefore be it

*Resolved*, That in order to preserve the PEACE of the city, and especially of the 6th ward, the friends of the constitution and the liberties of the citizen, will meet at this place, (Masonic Hall), to-morrow, (Wednesday at half past seven o'clock, and repair to the 6th ward poll, for the purpose of keeping it open to ALL VOTERS until such time as the official authorities may "procure a sufficient number of special constables to preserve the public peace."

*Resolved*, That while at the 6th ward poll, those who are not residents thereof, will not take any part in the election, but simply act as conservators of the peace, until such times as the MAJESTY OF THE LAWS shall be acknowledged and respected."

Various other proceedings for the preservation of the public peace were had—and many special constables appointed on the ensuing morning, &c. A large meeting was again held at the Masonic Hall at  $\frac{1}{2}$  past 7, A. M. on Wednesday, when it was plainly to be seen that order would be preserved by the application of force, if needed. Particular bodies of men were rallied and prepared, and the mayor, sheriff, &c. exerted themselves, being in attendance at the 6th ward; and, though another great effort was made to bring about a general riot, and many stones were thrown and bludgeons used, the force present put it down, and at 1 o'clock (Wednesday), the polls were of easy access to voters. Several rioters, (chiefly Irishmen), were arrested and sent to prison—though violent attempts to rescue them were made, in which persons, who ought to be regarded as gentlemen, were concerned. But they were defeated.

At the 11th ward the "Jackson" men had two private entrances to the poll room, which they exclusively used for their own friends, blocking up the public entrance! These proceedings caused a great excitement—and measures were taking to have the private entrances closed.

Several persons appear to have been stabbed—one of them it was feared would die, being struck in the bowels.

The estimates as to the state of the polls before the ballots are counted, cannot to be relied on—and both parties suppose that they have the majority.

P. S. We have accounts from New York to  $\frac{1}{2}$  past 1 o'clock on Thursday. At about 12 o'clock, a large body of Irishmen, armed with bludgeons and stones, marched in a body to attack the anti-Jackson committee, meeting in the Masonic Hall! The mayor, sheriff, &c. with a strong posse of constables, repaired to the scene of action. The mayor held up his staff, and commanded the peace—but was answered with a shower of stones and other missiles. The herd rushed on—the mayor and sheriff were assailed—numbers of ruffians rushed into the hall, and put the defenceless committee to rout—they fled for their lives! They knocked down, and are believed to have killed several persons in the street! The mayor was badly injured. After this, the mob attempted to gain the *arsenal*—but the *citizens* anticipated them, and kept them off; and, at the latest moment of our

advice, the *officers at the arsenal were passing out arms to the citizens, to suppress the rioters.*

Such is the substance of the account—hastily written, and, no doubt, under much excitement. The stores in Broadway were closed—and the riot continued, to end we know not how. Several peace officers were much hurt.

On the second day 9,271 additional votes were polled.

The present governor of *Connecticut*, Mr. Edwards, was elected last year by the "Jackson" party in the state; but, from the accounts before us, it appears that Mr. *Fool*, (anti-Jackson) at present a member of congress, has ousted Mr. E. with a majority unprecedented since the rise of present parties in that state. It is said that only one "Jackson man" has been returned to the state senate, and that the house of representatives will be from two-thirds to five-sixths anti-Jackson.

In *New York* and *Connecticut* the term "whigs" is now used by the opponents of the administration when speaking of themselves, and they call the "Jackson men" by the offensive name of "tories."

It is reported that major Eaton has been nominated governor of Florida, in the place of gov. Duval; and intimated that Andrew Stewart, one of the Pennsylvania delegation in congress, will probably be chosen president of the Chesapeake and Ohio canal company, in the place of major Eaton, resigned.

A considerable subscription has been made in New York for the relief of the Polish exiles, who have arrived in that city. One person unknown contributed \$200.

There was a drawing room held at St. James' palace, on the 24th Feb. last, the anniversary of the queen's birth day. It was numerously attended, and the ladies were splendidly dressed, &c. The queen, the queen that is to be, (the princess Victoria), and her mother, the duchess of Kent, were wholly dressed in articles of British manufacture. THEY ARE "TARIFFITES!"

It appears from the official papers that the extra allowances made by the post master general, in the last four years, amount to the enormous sum of \$1,515,589! The distribution of this money is not less remarkable than its amount, as the following summary statement will shew:

States and territories.	Sums appropriated under the title of extras to mail contractors.
Maine,.....	\$7,529 00
New Hampshire,.....	1,520 00
Vermont,.....	1,480 00
Massachusetts,.....	4,248 64
Connecticut,.....	3,478 80
New York,.....	8,650 08
New Jersey,.....	37,552 00
Pennsylvania,.....	158,133 20
Delaware,.....	6,304 00
Maryland,.....	94,853 28
Virginia,.....	315,414 60
North Carolina,.....	112,036 48
South Carolina,.....	62,448 32
Georgia,.....	144,974 84
Florida,.....	5,190 72
Alabama,.....	186,822 68
Mississippi,.....	3,618 56
Louisiana,.....	5,040 00
Ohio,.....	92,518 56
Kentucky,.....	72,850 72
Tennessee,.....	41,380 32
Indiana,.....	95,379 84
Illinois,.....	39,369 56
Missouri,.....	4,360 96
Arkansas,.....	10,434 08

Total, \$1,515,580 84

To pay-off the post office debts and relieve it from its present bankruptcy, we understand that a curtailment of these extra allowances will be made! For instances, *Reese* will be cut-down 73,693 dollars in 4 years! *Stockton* and *Neil* 63,920 dollars! *Porter & Co.* 67,776 dollars! and so on.

\*He was, however, yet living, at the latest date.

The cholera has reappeared at Memphis, Ten. and in certain parts of Kentucky, &c. and on-board some of the steamboats—so say several of the western newspapers.

It is reported at New York, that the Brandywine frigate will soon proceed from that port for Norfolk, from whence she will take out "Mr. Speaker" Stevenson as our minister to England, and thence proceed to her station in the Pacific. We have only just heard that Mr. S. has been nominated to the senate—the result has not yet reached us. We did hope that the practice of taking members of congress from their places to fill offices in the gift of the executive, would not be preserved in.

**ALEXANDER BROWN.** We noticed the decease of this much valued citizen in the last REGISTER—of whom the "American" of the 5th instant, says—"A circumstance has been mentioned to us which illustrates in a striking manner the liberal character of the deceased. After the sitting of the committee of the creditors of the bank of Maryland, on Tuesday evening last, Mr. Brown, in the course of a conversation on the moneyed distress of the times with one of the members—an old personal friend—remarked with much emphasis, that "he would not permit one solvent merchant in Baltimore to fail." The same night he was attacked with the illness which caused his death, but there is no doubt that had his valuable life been spared, his ample wealth would have been freely employed in the noble purpose which he then avowed.

**LABOR IN THE PENITENTIARIES.** Great complaints are made of the interference of the labor of criminals with that of honest men, and they are just; but the way to relieve them does not seem clear to us. As we have several times said, we think that the penitentiary system has failed to effect the *reformation* hoped for by it—but rogues must be punished, or at least withheld from society, shall they be subsisted without labor, or how shall we employ them?

The following statement of the number of convicts and their employment in the Sing Sing prison, in October, 1830, extracted from the report of the inspectors, was lately published in several of the New York daily papers:—

40 locksmiths; 56 blacksmiths, grate makers, &c. 99 shoe makers; 56 weavers and tailors; 11 silk hatters, to which more is added now; 174 coopers; 22 assistant coopers; 15 laborers; 76 quarry men; 18 cooks and bakers; 45 masons and stone cutters, working on work shops; 15 waiters and tenders; 22 men in hospital. Total 649.

The provisions for 649 men, agreeable to the report, does not exceed 63 cents per day. The whole cost for sustenance, clothing and keeping each convict will not exceed 12 cents per day.

#### FOREIGN NEWS.

From London papers to the 10th March, inclusive.

##### GREAT BRITAIN AND IRELAND.

A serious riot recently occurred in Liverpool between the Leinster and Ulster Irish factions. They had previously fought three pitched battles in the county of Cheshire, and on returning to Liverpool commenced an indiscriminate attack upon all they met. Seventeen of them were taken and imprisoned, prior to which, however, they wounded several of the police officers severely.

Lord Althorp had notified his intention of introducing a bill for reforming the reform bill; and the marquis of Westminster had given notice of his determination of altering the system of voting by proxy in the house of lords.

The balance in the treasury, according to lord Althorp's financial statement, was, on the 5th of January last, £1,513,000; and his lordship calculates that the opening of the China trade will add £600,000 to the revenue derived from that source; that the estimates of the present year will be less by half a million than those of 1833; that, if the present taxes were continued, there would be a surplus of £2,600,000 at the end of the year. After providing for the interest of the twenty millions to be paid as an indemnity to the West India proprietors, which he puts down at £800,000, the estimated surplus will be reduced to £1,600,000; and he introduced a bill, on the 7th March, to repeal the house tax, amounting to £1,300,000, leaving a surplus of £600,000. On the same day, Mr. Hunt's bill to repeal the corn laws was defeated by a vote of 319 to 155.

It is also proposed to reduce the navy estimates £180,000. From actual returns, the property of the church of England, consisting of bishops' incomes, deans' and chapters' incomes, together with 11,400 benefices, amounts to £3,621,125.

##### FRANCE.

Disturbances of a serious nature, but without bloodshed, occurred in Paris, on the 23d of February, which were undergoing judicial inquiry. The unstable tenure by which peace is maintained in Paris, may be gathered from the pithy remarks of gen. Jacquemont, the commander of the national guards, made in the chamber of deputies, on the occasion of the discussion of the above disturbances. He said: "the national guard is tired, fatigued and discontented; that the position of the gentlemen composing it had become intolerable, for they were continually under the necessity of taking up arms to defend their shops and

warehouses; and that the citizen, instead of taking his wife out to walk of a Sunday, is obliged to shoulder his musket."

The chamber of deputies had been engaged in the discussion of petitions demanding the abolition of the law of banishment against the Bonaparte family, and praying for the removal of the remains of Napoleon to France.

The government had signified its opposition to the first branch of these measures.

Alarming dissensions had taken place among the workmen and their employers at Lyons, Nantz and Marseille; those at the first place were so serious as to cause many families to remove, and the rioters at the second had got possession of the magazine. Many arrests had taken place.

##### SPAIN.

Ordonnances for the organization of the national guards; for placing the financial affairs of the country in the hands of Imas; and for appointing several commanders of provinces, had been issued by the queen regent. She had also consented to the convocation of the cortes in consequence of the tender of the resignation of two of her most popular ministers, and the consequent occurrence of an immediate commotion in the very neighborhood of the palace.

In the north the insurgents were in very great force. Zabala, with 5,000 men was besieging Guernica; and other chiefs had approached Lrun.

It was stated that Don Carlos had negotiated a loan of 4,000,000,000 of reals, the name of the contractor is not however given, nor is credit to the statement.

##### PORTUGAL.

A battle occurred on the 18th February, between 5,000 of Don Miguel's troops at Santarem, and the Pedroites, under gen. Sandauba, near Cartaxo, which, according to the report of the American consul at Lisbon, was most decisive in favor of the Pedroites, the whole force of the Miguelites being either killed or taken prisoners. Great rejoicings had taken place in consequence of the victory, and Lisbon was brilliantly illuminated. Previously, some apprehension had been felt at Lisbon in consequence of the proximity of a large Miguelite force; but they were now dispelled. Miguel still, however, held on to Santarem.

##### HOLLAND AND BELGIUM.

The arrangements between these powers, it is stated, will be very speedily brought to a favorable termination. Holland is to have the province of Luxemburg, and Belgium that of Limburg. This arrangement, it is said, will be carried into effect, notwithstanding the refusal of the collateral branches of the house of Nassau. This will leave the regulation of the trade of the Scheldt the only remaining point to be settled.

The Hague papers, however, speak of the marching of 10,000 Belgian troops into Luxemburg.

At Brussels, the reply of King Leopold to the address of the representatives of the people, had produced great discontent, and the king, and his minister of justice, were both burnt in effigy on the great square. At the last advices all was quiet in the capital.

At Ghent there had been tumultuous proceedings among the students, nineteen of whom had been arrested.

Many of the large commercial houses and ship owners of Antwerp were emigrating to Holland.

##### NAPLES.

A revolution had broken out in the capital, and had extended itself throughout the kingdom.

##### TURKEY.

M. Rothschild had come to a final arrangement with the Porte relative to the payment of the indemnity, and would remain at Constantinople for some months.

##### MEXICO.

Conspiracies and robberies continued to be the order of the day in this country. There had been 500 criminals arrested in one district, in about a month prior to the 16th February, 200 of the number for robberies.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

##### SENATE.

April 3. The vice president presented the following communication from the secretary of the treasury, responsive to Mr. Clay's resolution of the 31st March.

Treasury department, April 3, 1834.

SIR—In obedience to the resolution of the senate of the 31st ultimo, requiring the secretary of the treasury "to report to the senate what amount of public money is now on deposit in the Union bank of Maryland, when and on what account it was deposited, and also, whether any treasury drafts, contingent or other, have been, during the month of March, 1834, furnished to the said bank, or at any time heretofore, to the bank of Maryland, for any and what purposes: And that he likewise report what amount of stock in the capital of the said Union bank was held by R. B. Taney, esq. when the said bank was selected as one of the banks to receive on deposit the public money, and what amount of the said stock he now holds," I have the honor to transmit herewith a statement, (marked A. to U.) of the public money deposited in the Union bank of Maryland, showing when it was deposited and on what account. The difference between the balance to the credit of the treasurer, in his statement, and in that furnished by the bank, arises from warrants which have been issued by the treasurer on the bank, but which have not been presented for

payment, and a deposit to his credit since the last weekly return.

No treasury draughts, contingent or other were furnished to the Union bank of Maryland during the month of March, 1834. And no transfer draught of any description, contingent or other, has ever been furnished to the bank of Maryland, since I came into office. In answer to that part of the resolution, which calls for information as to the amount of stock held by Roger B. Taney in the Union bank of Maryland; "when the said bank was selected as one of the banks to receive in deposit the public money, and what amount of the said stock he now holds." I have the honor to state that inasmuch as the inquiry does not embrace the stockholders generally, but is confined to the stock of a particular individual, it must, by necessary implication, be understood as pointing the inquiry to the motives which influenced the individual named in the transactions he may have had in the stock of the said bank—and under such circumstances, it is due to his official relations to the senate and to the public, that his motives in any such transactions should be fully and clearly disclosed. I therefore transmit to the senate a copy of a letter from this department, to the president of the Union bank of Maryland, dated the 31st day of March, 1834, apprising him of the information required by the senate, requesting him to forward to the department, a statement of the amount of stock in the Union bank of Maryland, held by Roger B. Taney, at the time the deposits were removed—time at which it was purchased—and the amount now held by him—and the original private letter of Roger B. Taney authorising him to sell certain shares of stock which were lately sold.

Also, the letter from the president of the Union bank of Maryland, in reply, dated April 1st mentioned, which are herewith transmitted and are as follows:

1. The statement of the cashier, showing that at the time of the selection of the said bank as one of the banks to receive in deposit the public money, Roger B. Taney held in the stock of the said bank, 71 full shares, and 4 half shares, the par value of which amounted to \$5,475. That the last of these shares were purchased by him on the 12th of May, 1831, before he received any appointment under the government of the United States; and that he now holds 63 full shares of stock in the said bank, showing that 8 full shares and 4 half shares which were held by him at the time the deposits were removed, were sold and transferred on the 20th February, 1834.

2. The original private letter of Roger B. Taney, of the 18th February, 1834, to the president of the Union bank, directing so many shares to be sold, for the purpose of paying the debt therein mentioned, as might be necessary for that purpose, and the balance of the shares to be returned to him; and the affirmation of the president of the Union bank that he sold, under the power of attorney mentioned in that letter, eight full shares, and four half shares, and returned to Roger B. Taney a certificate of the remaining one share. The letter states the certificate sent to the president of the bank at nine full shares; the affirmation of the president of the bank shows, that it contained nine full shares and four half shares, the half shares being omitted in the letter, included in the power of attorney to sell.

I also transmit herewith the original letter, dated 15th February, 1834, from Somerville Pinkney, esq. of the city of Annapolis, the counsel for the creditor to whom the debt was due from Roger B. Taney, as trustee, requesting the payment of the said debt. I have the honor to be sir, very respectfully, your obedient servant,

R. B. TANNEY,

secretary of the treasury.

Hon. Martin Van Buren, vice president of the U. States  
and president of the senate.

Mr. Clay briefly explained, that, in consequence of the return made of the stockholders of the Union bank of Maryland; in which the name of R. B. Taney appeared as stockholder, he had thought it but justice to the public, that it should be ascertained what amount of stock was held by Mr. Taney in this bank. It was a mere fact which was called for, and nothing had been dropped, when the call was made, on the subject of motives. When the people had the facts before them, they would be able to make their own inferences. He had not thought it proper that the name of Mr. Taney should be sent forth to the world as a stockholder, without further information.

He moved that the communication be printed; which was agreed to.

April 4. Mr. McKean presented the proceedings of a large meeting of friends of the administration, held in Centre county, Pennsylvania, one of the most prominent actors in which was the venerable Andrew Gregg, a member of the first congress that assembled under the present constitution, &c. This meeting, said Mr. McK. among other things, resolve that they have continued confidence in the integrity and patriotism of our present venerable president, and that they see no reason to doubt the purity of his purpose and honesty of intention, which guided him in his recent course against the United States bank; but, as congress alone possesses the power, under the constitution, to raise revenue, and direct its appropriations, so, in accordance with the same principle, the place of deposit and safe keeping of the public money should be provided for by law. And they request their senators and representatives in congress to use their best exertions to procure an early and satisfactory adjustment of the questions affecting the currency of the country.

The proceedings having been read—

Mr. Clayton rose merely to correct an error, into which the persons composing the meeting had fallen. They expressed their regret that a compromise offered by the senator from Georgia, when the bank charter was under consideration, was not accepted by the senate. Now he, Mr. C. recollected that no such compromise was offered by the senator from Georgia. That gentleman did not say that he would vote for the recharter of the bank, if the restrictions and limitations he suggested were accepted by the senate, although he did say that he would vote for no bank bill that did not contain them. These were his recollections of facts; if he was in error the gentleman from Georgia would correct him.

Mr. Forsyth replied, that he should have a dreadful task of it, if he undertook to correct every error to be found in the memorials presented to the senate. The gentleman from Delaware, however, was right in his statement of facts. He did not offer a compromise. His convictions were, that no bill to recharter the bank could be so framed, at this session, as to meet with the concurrence of every member of the senate. Perhaps there never could be such a bill framed.

Mr. Clayton agreed entirely with the gentleman from Georgia. It was not possible, he thought, to frame a bill at this session, that would meet with the concurrence of a majority of both houses of congress.

Mr. McKean then presented the proceedings of another meeting held in the same county, of the respectability of the names attached to which he bore a high testimony, disapproving of the removal of the deposits, to which cause they attribute the present distresses of the country, and recommend, for a limited time, the extension of the charter of the present bank, and that the public revenues, to be collected hereafter, shall be deposited in it and its branches.

The proceedings and resolutions were read, referred to the committee on finance and ordered to be printed.

After some debate, the matters relating to the contested election for a senator in Rhode Island, were laid on the table.

The bill authorising the governors of the several states to transmit, by mail, certain papers and documents free of postage, was read the third time and passed, by yeas and nays—27 yeas, 1 nay.

The bill for the relief of Thomas Fillebrown, jr. was ordered to a third reading.

Mr. Clayton submitted the following resolution:

Resolved, That the following be added to, and form a part of, the rules of the senate:

"As soon as the journal is read, the president shall call for petitions from the members of each state, beginning with Maine, and, if in any day the whole of the states shall not be called, the president shall begin on the next day where he left off the previous day."

A good deal of other business was attended to this day, which will be sufficiently noticed in its progress.

The senate adjourned till Monday.

April 7. Memorials, proceedings of meetings, &c. favorable to the restoration of the deposits, &c. were presented, as follows: by Mr. Sibley, of Massachusetts, from 1,208 inhabitants of the town of Salem in that state; by Mr. Wright, of N. York, from 55 citizens of the village of Syracuse; by the same from 1,143 citizens of Rochester; by Mr. Bibb from upwards of 1,000 citizens of Shelby county, Kentucky; which were severally read, referred and ordered to be printed.

Proceedings and resolutions approving the removal of the deposits, &c. were presented by Mr. Frelinghuysen, from a meeting of friends of the administration in Essex county, New Jersey; by Mr. Brown, of North Carolina, from a meeting held in Tarborough, in Edgecombe county—which were read, referred, &c.

Mr. Morris presented certain resolutions from the legislature of the state of Ohio: 1. A resolution asking for an appropriation of public lands for the use of schools in that state; 2. A resolution disapproving of the West Point academy; 3. A resolution asking a grant of land to aid in the construction of the Ohio and Pennsylvania canal, and 4. a resolution asking that grants of land may be made to the surviving officers of the last war with Great Britain: which were severally read and referred.

The special order, being the resolutions introduced by Mr. Clay on the subject of executive power, being announced by the chair, the senate, on motion of Mr. Clay, postponed their consideration until this day fortnight.

Mr. Preston submitted the following resolution:

Resolved, That the secretary of the treasury be directed to communicate to the senate the name of the agent or agents employed by him to transact the business of the treasury with the banks selected for the deposit of the public funds; the nature of the duties performed by said agent or agents; the amount of compensation paid for the discharge of the said duties, and by whom and from what fund the said compensation was paid; and whether the said agent or agents have been appointed in pursuance of law.

Mr. Calhoun gave notice that he would call up his bill repealing the force bill, on Wednesday next.

The bill making an appropriation for the construction of a lateral branch of the Baltimore and Ohio rail road in the District of Columbia, was laid on the table.

The senate having successively taken up and acted upon several bills of a private character, went into executive business, and, after, being sometime engaged therein, the senate adjourned.

April 8. Memorials, proceedings of public meetings, &c. favorable to the restoration of the deposits, &c. were presented by the following persons: by Mr. Southard from a meeting of inhabitants of the town of Clinton, by the same from large public meetings in the town of Morris, Hunterdon county, in the county of Cape May, as also of Salem county, all in the state of New Jersey; by Mr. Silsbee from inhabitants of New Bedford, Mass.; by Mr. McKean from a large meeting of citizens of Delaware county, Pa. also from the city authorities of the city and county of Philadelphia; all which were read, referred, &c.

Mr. Southard presented the proceedings of a meeting of citizens of Clinton, Huntingdon county, New Jersey, approving of the removal of the deposits, &c. which was read, referred, &c. Mr. Silsbee reported a bill in aid of the marine hospital at Charleston, South Carolina.

Mr. King submitted a resolution inquiring into the expediency of authorising the accounting officers of the treasury to credit the account of David McCord, late receiver of public moneys at the land office at Cahawba, Alabama, with a certain amount of money received by him for the sale of public lands, and lost by the burning of the steamboat Florida, while taking the same to Mobile to deposit it in the branch bank of the United States. The chair communicated a report from the general land office in answer to a call for the number of patents ready for the signature of, and unsigned by, the president, &c.

On motion of Mr. White, the senate proceeded to the consideration of executive business, and remained in secret session two hours.

On the reopening of the doors, the senate proceeded to the consideration of a resolution offered by Mr. Clayton proposing a change in the rules of the senate, on the subject of the presentation of petitions.

A debate ensued in which Messrs. Clayton and Southard defended the resolution, and were opposed by Messrs. Clay, Calhoun and King, of Ala. After several unsuccessful attempts to lay the resolution on the table, and an amendment being offered by Mr. Clay, the senate, on motion of Mr. Ewing, adjourned.

April 9. A message was received from the president of the United States, transmitting the information called for relative to the proclamation for the sales of the Choctaw lands, and giving the reasons for the shortness of the notice.

On motion of Mr. Preston, the resolution submitted by him a few days ago, calling on the treasury department for information respecting the agent appointed to arrange the affairs of the government with the several state banks selected to receive the public deposits, was taken up, modified and adopted.

After attending to some private business,

On motion of Mr. Calhoun the senate proceeded to the consideration of the bill to repeal the force act, when

Mr. Calhoun addressed the senate in support of the bill for an hour and a half.

Mr. Clay said he should have voted for the force bill if he had been in his seat when the bill passed—that he would go for the repeal of the military part of the bill, if it would soothe any unkind feelings in the south, for that part of the bill was now unimportant, and he had not much confidence in the man whom it clothed with extraordinary power—but he would not vote to repeal the judicial part of the bill—and he was sorry the question was agitated at all. He then moved to refer the bill to the judiciary committee.

Mr. Calhoun opposed the reference; and after a brief debate in which Messrs. Forsyth, Preston and Poindexter took part, and a few remarks in explanation by Mr. Clay, Mr. Calhoun withdrew his objection, and the bill was referred to said committee.

A joint resolution, offered by Mr. Benton, was then taken up; but in consequence of his absence, was laid on the table. The senate then adjourned.

April 10. Mr. Mangum presented the memorial of 103 citizens of Terrill county, N. C. remonstrating against the removal of the deposits.

Mr. Shepley presented the proceedings of a public meeting held in the towns of Gardiner and Dixton, Maine, signed by 634 individuals, without distinction of party, equal to the average number of voters of both political parties, complaining of distress and embarrassment, and in favor of a bank to regulate the money concerns of the country.

Both the above were read, referred, &c.

The report on the contested election of the Rhode Island senator, was taken up, and made the order of the day for this day week.

The bill to repeal the act for the better organization of the treasury department, was taken up, as in committee of the whole, and, on motion of Mr. Tyler, laid on the table.

The resolution moved by Mr. Clayton to change the rules of the senate relative to the reception of petitions, &c. was taken up, amended and agreed to.

The senate then successively took up, as in committee of the whole, several bills of a private or local character, which were severally read the second time and ordered to be engrossed for a third reading—and then the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, April 4. After the morning business—

Mr. McDuffie continued and concluded an animated and eloquent speech in opposition to the report of the committee of ways and means.

When Mr. McD. resumed his seat, which he did at a quarter after four o'clock, a number of gentlemen started to obtain the floor; Mr. Mason, of Virginia, succeeded, and, after some brief prefatory remarks, moved the previous question.

On the question whether that motion was seconded by the house, (which it must be by a majority, or it fails), the members passed between tellers, and the vote stood as follows:

YEAS—Messrs. John Adams, Wm. Allen, Anthony, Beale, Bean, Beardsley, Beaumont, John Bell, John Blair, Boeke, Boon, Bouldin, Brown, Bunch, Bynum, Cambreleng, Carmichael, Carr, Casey, Chaney, Chinn, Samuel Clark, Clay, Coffee, Connor, Cramer, Day, Dickerson, Dickinson, Dunlap, Forester, W. K. Fuller, Galbraith, Gillett, Joseph Hall, T. H. Hall, Halsey, Hamer, Hannagan, Joseph M. Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Richard M. Johnson, Noah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagh, Kinnard, Lane, Lansing, Laporte, Lawrence, Luke Lea, Thomas Lee, Leavitt, Loyal, Lucas, Lyon, Lytle, Abijah Mann, jr. J. K. Mann, Mardis, J. Y. Mason, Moses Mason, McIntire, McKay, McKinley, McLene, McVeah, Miller, Henry Mitchell, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, Peyton, Franklin Pierce, Pierson, Plummer, Polk, Pope, Schenck, Shinn, Charles Slade, Smith, Speight, Standifer, Stoddard, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turill, Vanderpool, Wagener, Ward, Wardwell, Wayne, Webster, Whallon—114.

NAVS—Messrs. J. Q. Adams, Heman Allen, John J. Allen, C. Allan, Archer, Ashley, Banks, Barber, Barnitz, Barringer, Baylies, Beatty, James M. Bell, Binney, Briggs, Bull, Burd, Burges, Cage, Campbell, Chambers, Chilton, Choate, Claiborne, William Clarke, Clayton, Clowney, Corwin, Coulter, Crane, Crockett, Darlington, Warren R. Davis, Amos Davis, Davenport, D-berny, Deming, Denny, Dennis, Dickson, Duncan, Ellsworth, Evans, Edward Everett, Horace Everett, Ewing, Felder, Fillmore, Foot, Grayson, Philo C. Fuller, Folson, Gordon, Graham, Grayson, Grinnell, Griffin, Hiland Hall, Hard, Hardin, J. Harper, Hazeltine, Heath, J. W. Huntington, Jackson, W. C. Johnson, King, Lay, Lincoln, Martindale, Marshall, McCarty, McCommas, McDuffie, McKennan, Mercer, Milligan, Moore, Pinckney, Potts, Ramsay, Reed, Rencher, Selden, W. R. Shepard, Aug. H. Shepperd, William Slade, Sloane, Spangler, Stewart, William P. Taylor, Philemon Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, Watmouth, E. D. White, F. Whittlesey, Elisia Whittlesey, Wilde, Williams, Wilson, Young—106.

So it was seconded that the main question should now be put—cutting off the proposed amendment of Mr. Wilde, and excluding all other amendments.

Mr. Selden rose and called the attention of the chair to the 22d rule of order, which forbids any member to vote on a question in which he is personally interested, and stated that several members of the house were stockholders in the banks which had been selected to receive the deposits.

The chair decided that no question could be interposed, nor question of order discussed, until the vote on the previous question had been taken; inasmuch as the house, by supporting the motion for the previous question, had determined that the question should at once be put.

A variety of motions and proceedings followed—the majority refusing to adjourn, and the yeas and nays being called several times, &c.

Mr. Wilde asked if it would be in order to move to suspend the rules of the house, so as to obtain a direct vote by yeas and nays on his amendment?

The chair decided in the negative. The nature of the previous question did not depend on the rules of the house, but on the lex parliamentaria, and the suspension of the rules would not affect it.

Mr. Adams inquired whether, after the previous question should have been ordered, it applied to all the resolutions, or only to the first?

The chair said that the question now was, only whether the main question should be put: when the house had decided this, the main question itself would be susceptible of division, so as to get a separate vote on each resolution.

The previous question was now put as follows:

"Shall the main question now be put?" And decided by yeas and nays as follows:—yeas 114, nays 107.

So the house determined that the main question should now be put.

The main question was then put, viz: will this house concur with the committee of ways and means in the resolutions reported by them to this house?

Mr. Wilde demanded that the question should be divided, so as to take a vote separately on each resolution.

It was divided accordingly: and put, first, upon concurring in the first of the resolutions reported, viz:

"Resolved, That the bank of the United States ought not to be rechartered."

And determined as follows:

YEAS—Messrs. John Adams, Wm. Allen, Anthony, Archer, Beale, Bean, Beardsley, Beaumont, J. Bell, Jno. Blair, Boeke, Boon, Bouldin, Brown, Bunch, Bynum, Campbell, Cambreleng, Carmichael, Carr, Casey, Chaney, Chinn, Claiborne, Samuel Clark, Clay, Clayton, Clowney, Coffee, Connor, Cramer, W. R. Davis, Davenport, Day, Dickerson, Dickinson, Dunlap, Fel-



der, Forester, Foster, W. K. Fuller, Fulton, Galbraith, Gholson, Gillet, Gilmer, Gordon, Grayson, Griffin, Jos. Hall, T. H. Hall, Halsey, Hamer, Hannegan, Jos. M. Harper, Harrison, Hathaway, Hawkins, Hawes, Heath, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Richard M. Johnson, Noadiah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagh, Kinnard, Lane, Lausing, Laporte, Lawrence, Lay, Luke Lea, Thomas Lee, Leavitt, Loyall, Lucas, Lyon, Lytle, Abijah Mann, Joel K. Mann, Mardis, John Y. Mason, Moses Mason, McIntire, McKay, McKinley, McLene, McVean, Miller, Henry Mitchell, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, D. J. Pearce, Peyton, F. Pierce, Pierson, Pinckney, Plummer, Polk, Rencher, Schenck, Schley, Shinn, Smith, Speight, Standtler, Stoddert, Sutherland, William Taylor, William P. Taylor, Francis Thomas, Thomson, Turner, Turritt, Vanderpoel, Wagener, Ward, Wardwell, Wayne, Webster, Whalon—132.

**NAYS**—Messrs. John Quincy Adams, Heman Allen, John J. Allen, Chilton Allan, Ashley, Banks, Barber, Barnitz, Barringer, Baylies, Beatty, James M. Bell, Binney, Briggs, Bull, Burges, Cagle, Chambers, Chilton, Choate, William Clark, Corwin, Coulter, Crane, Crockett, Darlington, Amos Davis, Deberry, Deming, Denny, Dennis, Dickson, Duncan, Ellsworth, Evans, Edward Everett, Horace Everett, Fillmore, Foot, Philo C. Fuller, Graham, Grennell, Hiland Hall, Hard, Hardin, James Harper, Hazeltine, Jabez W. Huntington, Jackson, William C. Johnson, Lincoln, Martindale, Marshall, McCarty, McComas, McDuffie, McKennan, Mercer, Milligan, Moore, Pope, Potts, Reed, William E. Shepard, Aug. H. Shepperd, William Slade, Charles Slade, Sloane, Spangler, Philemon Thomas, Tompkins, Tweedy, Vance, Vinton, Watmough, Edward D. White, Fred. Whittlesey, E. Whittlesey, Wilde, Williams, Wilson, Young—82.

So the resolution was agreed to.

The question was then put on agreeing to the following (the second) resolution:

"**Resolved**, That the public deposits ought not to be restored to the bank of the United States."

And determined as follows:

**YEAS**—Messrs. J. Adams, Wm. Allen, Anthony, Beale, Beau, Beardsley, Beaumont, J. Bell, J. Blair, Boeke, Boon, Brown, Bunch, Bynum, Cambreleng, Carmichael, Carr, Casey, Chancy, Chinn, Samuel Clark, Clay, Coffee, Connor, Cramer, Day, Philemon Dickerson, David W. Dickinson, Dunlap, Forester, Wm. K. Fuller, Galbraith, Gillet, Gilmer, Joseph Hall, Thomas H. Hall, Halsey, Hamer, Hannegan, Jos. M. Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Richard M. Johnson, Noadiah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Edward Kavanagh, Kinnard, Lane, Lansing, Laporte, Lawrence, Luke Lea, Thomas Lee, Leavitt, Loyall, Lucas, Lyon, Lytle, Abijah Mann, J. K. Mann, Mardis, J. Y. Mason, Moses Mason, McCarty, McIntosh, McKay, McKinley, McLene, McVean, Miller, Henry Mitchell, Robt. Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutce J. Pearce, Peyton, Franklin Pierce, Pierson, Plummer, Polk, Pope, Schenck, Schley, Chas. Slade, Smith, Spangler, Speight, Standtler, Stoddert, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turritt, Vanderpoel, Wagener, Ward, Wardwell, Wayne, Webster, Whalon—118.

**NAYS**—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Chilton Allan, Archer, Ashley, Banks, Barber, Barnitz, Barrington, Baylies, Beatty, James M. Bell, Binney, Briggs, Bull, Burd, Cagle, Campbell, Chambers, Chilton, Choate, Claiborne, Wm. Clark, Clayton, Clowney, Corwin, Coulter, Crane, Crockett, Darlington, Warren R. Davis, Davenport, Deberry, Deming, Denny, Dennis, Dickson, Duncan, Ellsworth, Evans, Edward Everett, Horace Everett, Ewing, Felder, Fillmore, Foot, Foster, Philo C. Fuller, Fulton, Gholson, Gordon, Graham, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, James Harper, Hazeltine, Heath, Jabez W. Huntington, Jackson, William C. Johnson, King, Lay, Lincoln, Martindale, Marshall, McComas, McDuffie, McKennan, Mercer, Milligan, Moore, Pinckney, Potts, Ramsay, Reed, Rencher, Selden, William E. Shepard, Aug. H. Shepperd, William Slade, Sloane, Stewart, Wm. P. Taylor, Philemon Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, Watmough, Edward D. White, Frederick Whittlesey, Elisha Whittlesey, Wilde, Williams, Wilson, Young—103.

So the second resolution was agreed to.

The question was then put on agreeing to the third resolution, as follows:

"**Resolved**, That the state banks ought to be continued as the places of deposit of the public money, and that it is expedient for congress to make further provision by law, prescribing the mode of selection, the securities to be taken, and the manner and terms on which they are to be employed."

And determined as follows:

**YEAS**—Messrs. John Adams, Wm. Allen, Anthony, Beale, Beau, Beardsley, Beaumont, John Bell, John Blair, Boeke, Boon, Bouldin, Brown, Bunch, Bynum, Cambreleng, Carmichael, Carr, Casey, Chauey, Chinn, S. Clark, Clay, Coffee, Connor, Cramer, Day, Dickerson, Dickinson, Dunlap, Forester, Wm. K. Fuller, Galbraith, Gillet, Gilmer, Joseph Hall, T. H. Hall, Halsey, Hamer, Hannegan, J. M. Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Richard M. Johnson, Noadiah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Ka-

vanagh, Kinnard, Lane, Lansing, Laporte, Lawrence, Lea, Lee, Leavitt, Loyall, Lucas, Lyon, Lytle, Abijah Mann, J. K. Mann, Mardis, Moses Mason, John Y. Mason, McCarty, McIntire, McKay, McKinley, McLene, McVean, Miller, Henry Mitchell, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutce J. Pearce, Peyton, Franklin Pierce, Pierson, Plummer, Polk, Pope, Schewek, Schley, Shinn, Charles Slade, Smith, Speight, Standtler, Stoddert, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turritt, Vanderpoel, Van Houten, Wagener, Ward, Wardwell, Wayne, Webster, Whalon—117.

**NAYS**—Messrs. J. Q. Adams, Heman Allen, J. J. Allen, C. Allen, Archer, Ashley, Banks, Barber, Barnitz, Barringer, Baylies, Beatty, James M. Bell, Binney, Briggs, Bull, Burd, Burges, Cagle, Campbell, Chambers, Chilton, Choate, Claiborne, Wm. Clark, Clayton, Clowney, Corwin, Conner, Crane, Crockett, Darlington, Warren R. Davis, Amos Davis, Davenport, Deberry, Deming, Denny, Dennis, Dickson, Duncan, Ellsworth, Evans, Edward Everett, Horace Everett, Ewing, Felder, Fillmore, Foot, Foster, P. C. Fuller, Fulton, Gholson, Gordon, Graham, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, James Harper, Hazeltine, Heath, Jabez W. Huntington, Jackson, W. C. Johnson, King, Lay, Lincoln, Martindale, Marshall, McComas, McDuffie, McKennan, Mercer, Milligan, Moore, Pinckney, Potts, Ramsay, Reed, Rencher, Selden, William B. Shepard, A. H. Shepperd, Wm. Slade, Sloane, Spangler, Stewart, Wm. P. Taylor, P. Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, Watmough, E. D. White, Frederick Whittlesey, Elisha Whittlesey, Wilde, Williams, Wilson, Young—105.

So this resolution also was agreed to.

The question was then put on agreeing to the fourth and last resolution, as follows:

"**Resolved**, That, for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the United States, in sundry memorials which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated, and also what corruptions and abuses have existed in its management; whether it has used its corporate power, or money to control the press, to interfere in politics, or influence elections, and whether it has had any agency through its management or money, in producing the existing pressure, a select committee be appointed to inspect the books and examine into the proceedings of the said bank, who shall report whether the provisions of the charter have been violated or not, and also what abuses, corruptions or malpractices have existed in the management of said bank, and that the said committee be authorised to send for persons and papers, and to summon and examine witnesses on oath, and to examine into the affairs of the bank and branches; and they are further authorised to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable."

And determined as follows:

**YEAS**—Messrs. John Adams, Heman Allen, John J. Allen, Wm. Allen, Archer, Ashley, Barringer, Baylies, Beale, Beau, Beardsley, Beaumont, John Bell, James M. Bell, Blair, Boeke, Boon, Bouldin, Briggs, Brown, Bunch, Burges, Bynum, Cagle, Campbell, Cambreleng, Carmichael, Carr, Casey, Chancy, Chinn, Claiborne, Samuel Clark, William Clark, Clay, Clowney, Coffee, Conner, Corwin, Coulter, Craner, Warren R. Davis, Davenport, Day, Deberry, Deming, Dennis, Dickerson, Dickson, Duncan, Dunlap, Horace Everett, Ewing, Felder, Fillmore, Forester, Foster, Fowler, Philo C. Fuller, Wm. K. Fuller, Fulton, Galbraith, Gholson, Gillet, Gordon, Graham, Grayson, Grennell, Joseph Hall, Hiland Hall, Thomas H. Hall, Halsey, Hamer, Hannegan, Hardin, Joseph M. Harper, James Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jackson, Jarvis, Wm. Cost Johnson, Richard M. Johnson, Noadiah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagh, King, Kinnard, Lane, Lansing, Laporte, Lawrence, Lay, Luke Lea, Thomas Lee, Leavitt, Loyall, Lucas, Lyon, Lytle, Abijah Mann, Joel K. Mann, Martindale, Mardis, John Y. Mason, Moses Mason, McCarty, McComas, McIntire, McKay, McKinley, McLene, McVean, Miller H. Mitchell, R. Mitchell, Moore, Muhlenberg, Osgood, Page, Parks, Parker, Patterson, D. J. Pearce, Peyton, Franklin Pierce, Pierson, Plummer, Polk, Pope, Ramsay, Rencher, Schenck, Schley, Selden, Augustus H. Shepperd, Shinn, William Slade, Chas. Slade, Sloane, Smith, Spangler, Speight, Standtler, Stewart, Stoddert, Sutherland, William Taylor, Wm. P. Taylor, Francis Thomas, Philemon Thomas, Thomson, Turner, Turritt, Vanderpoel, Vinton, Wagener, Ward, Wardwell, Wane, Webster, Whalon, Frederick Whittlesey, Elisha Whittlesey, Wilde, Wilson—171.

**NAYS**—Messrs. John Q. Adams, Chilton Allan, Anthony, Banks, Barber, Barnitz, Beatty, Binney, Burd, Chambers, Chilton, Choate, Clayton, Crane, Crockett, Darlington, A. Davis, Denny, Dickson, Evans, Edward Everett, Gilmer, Hard, Hazeltine, Henderson, Lincoln, Marshall, McDuffie, McKennan, Mercer, Milligan, Murphy, Pinckney, Potts, Reed, William B. Shepard, Tompkins, Tweedy, Vance, Watmough, Williams, Young—42.

So this resolution was agreed to.

And it was agreed that the committee to be appointed in pursuance of this last resolution, should consist of seven members, (who are of course appointed by the speaker.)  
 [The committee above authorized, consists of Mr. Thomas, of Maryland, Mr. Everett, of Massachusetts, Mr. Muhlenberg, of Pennsylvania, Mr. Mason, of Virginia, Mr. Ellsworth, of Connecticut, Mr. Mann, of New York, and Mr. Lytle, of Ohio.]  
 Mr. *Wilde* asked consent to offer a 5th resolution, declaring the reasons offered by the secretary insufficient and unsatisfactory.

Objection being made, he moved to suspend the rules.  
 The house, on the motion of Mr. *Polk*, at  $\frac{1}{2}$  past 7 o'clock, adjourned to Monday.

ANALYSIS OF THE VOTES.

[For that on the previous question we are indebted to the *National Intelligencer*—that part against the restoration of the deposits is our own; as well as the classification of the members by their several states; which is added:—]

States.	Against restoring the deposits.			Against restoring the deposits.		
	Yeas.	Nays.	Deficient.*	Yeas.	Nays.	Deficient.*
Maine	7	0	0	7	1	0
N. Hampshire,	1	0	1	4	0	0
Massachusetts,	1	9	2	1	9	2
Rhode Island,	1	1	0	1	0	1
Connecticut,	0	6	0	0	6	0
Vermont,	0	5	0	0	5	0
New York,	28	9	3	28	9	3
New Jersey,	5	0	1	5	0	1
Pennsylvania,	11	16	1	11	16	1
Delaware,	0	1	0	0	1	0
Maryland,	3	4	1	3	4	1
Virginia,	6	12	3	6	12	3
North Carolina,	6	7	0	6	7	0
South Carolina,	0	8	1	0	8	1
Georgia,	3	3	3	5	3	1
Kentucky,	4	7	2	4	7	2
Tennessee,	12	1	0	12	1	0
Ohio,	11	8	0	12	7	0
Louisiana,	0	2	1	0	2	1
Indiana,	5	2	0	6	1	0
Mississippi,	1	1	0	1	1	0
Illinois,	2	1	0	2	1	0
Alabama,	4	0	1	4	0	1
Missouri,	0	2	0	0	2	0
	114	106	20	118	103	19

Vote on the resolution against restoring the deposits.

*Maine*, ayes—Messrs. Smith, McIntire, Kavanaugh, Parks, Hall, Jarvis, Mason 7. Nay—Mr. Evans 1.

*New Hampshire*, ayes—Messrs. Hubbard, Harper, Beau, Pierce, 4—[absent, Mr. Burns.]

*Massachusetts*, aye—Mr. Osgood, 1. Nays—Messrs. Adams, Choate, Everett, Lincoln, Briggs, Grennell, Baylies, Reed, Jackson, 9—[absent, Messrs. Bates and Gorham.]

*Rhode Island*, aye—Mr. Pearce, 1—[absent, Mr. Burges.]

*Connecticut*, ayes—none. Nays—Messrs. Barber, Ellsworth, Foot, Huntington, Tweedy, Young, 6.

*Vermont*, ayes—none. Nays—Messrs. Allen, Deming, Everett, Hall, Slade, 5.

*New York*, ayes—Messrs. Huntington, Cambreleng, Lawrence, Ward, Bockee, Brown, Adams, Vanderpoel, Pierson, Lansing, Cramer, Whalon, Gillet, McVean, Mann, Beardsley, Turrell, Page, Johnson, Mitchell, Halsey, Hathaway, Taylor, Fuller, Day, Clark, Howell, Wardwell, 28. Nays—Messrs. Selden, Martindale, Dickson, Whittlesey, Lay, Fuller, Hazeltine, Filmore, Harb, 9—[absent, Messrs. Van Houten, C. P. White, Bodie, 3.]

*New Jersey*, ayes—Messrs. Dickerson, Parker, Schenck, Shinn, Lee, 5—[absent, Mr. Fowler, 1.]

*Pennsylvania*, ayes—Messrs. Miller, Anthony, Muhlenberg, Mann, Wagener, Beaumont, Laporte, Henderson, Galbraith, Harrison, Sotherland, 11. Nays—Messrs. Binney, Harper, Wainough, Darlington, Potts, Clark, Denny, Chambers, McKennan, Banks, Stewart, Barnitz, Burd, Ramsay, King, Coulter, 16—[absent, Mr. Heister, 1.]

*Delaware*, aye—none. Nay—Mr. Milligan, 1.

*Maryland*, ayes—Messrs. Stoddert, Carmichael, Thomas, 3. Nays—Messrs. Heath, Turner, Johnson, Dennis, 4—[absent, Mr. McKim, 1.]

*Virginia*, ayes—Messrs. Mason, Bonidin, Chinn; Lucas, Loyall, Beale, 6. Nays—Messrs. Gordon, Archer, Claiborne, Mercer, Moore, Davenport, Allen, Gholson, Wilson, Taylor, Fulton, McComas, 12—[absent, Messrs. Patton and Wise, 2; and Mr. Speaker Stevenson did not vote, 3.]

*North Carolina*, ayes—Messrs. Hawkins, Hall, Speight, McKay, Connor, Bynum, 6. Nays—Messrs. William B. Shepard, Rencher, Barringer, Deberry, Williams, A. H. Shepperd, Graham, 7.

*S. Carolina*, ayes—none. Nays—Messrs. McDuffie, Campbell, Clowney, Pinckney, Grayson, Davis, Felder, Griffin, 8—[dead, Mr. Blair, 1.]

*Georgia*, ayes—Messrs. Wayne, Gilmer, Jones, Schley, Coffee, 5. Nays—Messrs. Wilde, Clayton, Foster, 3—[absent, Mr. Gamble, 1.]

\*Including the speaker, absentees and vacancies.

*Kentucky*, ayes—Messrs. Johnson, Lyon, Pope, Hawes, 4. Nays—Messrs. Allair, Marshall, Davis, Chilton, Hardin, Beatty, Tompkins, 7—[absent, Mr. Love, and one vacancy, 2.]

*Tennessee*, ayes—Messrs. Bell, Johnson, Polk, Dickinson, Peyton, Blair, Bunch, Lea, Staudifer, Forrester, Inge, Dunlap, 12. Nay—Mr. Crockett, 1.

*Ohio*, ayes—Messrs. Lytle, Webster, Allen, McLene, Hamer, Chauey, Mitchell, Thomson, Jones, Patterson, Leavitt, Spangler, 12. Nays—Messrs. Bell, Whittlesey, Corwin, Vance, Sloane, Crane, Vinton, 7.

*Louisiana*, ayes—none. Nays—Messrs. Thomas, White, 2—[absent, Mr. Garland, not arrived, 1.]

*Indiana*, ayes—Messrs. Lane, McCarty, Carr, Kinnard, Haneagan, Boon, 6. Nay—Mr. Ewing, 1.

*Mississippi*, aye—Mr. Plummer, 1. Nay—Mr. Cage, 1.

*Illinois*, ayes—Messrs. Casey, Slade, 2. Nay—Mr. Duncan, 1.

*Alabama*, ayes—Messrs. Clay, Murphy, Hardis, McKinley, 4—[absent, Mr. Lewis, 1.]

*Missouri*, ayes—none. Nays—Messrs. Ashley, Bull, 2.

*Monday, April 7.* Mr. Burges said he held in his hand a memorial from the county of Bristol, Rhode Island, accompanied by a letter which he wished to have read.

The chair said it could only be done by unanimous consent. Mr. Chilton objected to the reading of the letter.

Mr. Burges then made some remarks as to the respectability of the memorialists; when the memorial was read and laid on the table.

Mr. Burges then moved that a certain letter, or letters, read on the last petition day by his colleague, and which had been withdrawn from the files of the house, might be restored thereto.

The chair stated that this motion could only be received by unanimous consent, and doubted if it would be in order then, as the house had no power over the paper in question, it being a private letter.

Objection being made, and the motion requiring unanimity, was not received.

Mr. Pearce presented resolutions adopted at Providence and North Providence, R. Island; read and laid on the table. He also wished to present two communications addressed to himself on the subject of the deposits.

Objection being made to their reception, Mr. P. moved to suspend the rule; which motion was negatived.

Memorials, &c. in favor of the restoration of the deposits, &c. were presented by Mr. Allen, of Vt. from the inhabitants of the county of Chittenden, in that state; by Mr. Slade, of Vt. from inhabitants of the county of Rutland, Vt.; by Mr. Selden, from 88 of the mechanics of Troy, N. York; by the same from 2,800 citizens of Albany, N. Y.; by Mr. Filmore, (a spirited remonstrance from the young men of Troy; by Mr. McKennan, from inhabitants of Washington county, Pa.; by Mr. Darlington, from 2,530 inhabitants of Delaware county, Pa.; by Mr. Henderson, from 600 citizens of Belfont, Centre county, Pa.; by Mr. Anthony, from 100 citizens of Mancy, Lycoming county, Pa.; by Mr. Potts, 23 memorials signed by 1,600 citizens of Chester county, Pa.; by Mr. Miller, from a large meeting of citizens of Adams county, Pa.; by Mr. Barnitz, the proceedings of a meeting at West Manchester, York county, Pa.; by Mr. F. Thomas, from the Washington county bank, and three banks in Frederick county, Md.; by Mr. Stoddert, from 800 voters of Prince George's county, Md.; by Mr. Turner, of Md. from 328 citizens of his district; by Mr. Wise, from inhabitants of James City, Va.; by Mr. Williams, of N. C. two memorials from his district; by Mr. Allen, of Ky. from the citizens of Lexington and Fayette county in that state; by Mr. Chilton, of Ky. from citizens of his district; by Mr. Mitchell, of Ohio, from citizens of his district; by Mr. Leavitt, from 2,000 persons of Harrison county, Ohio; by Mr. Spangler, from inhabitants of Tuscarawas county, Ohio; by Mr. Corwin, from citizens of Warren county, Ohio; by Mr. Dickerson, from a meeting of inhabitants of the village of Clinton, N. Jersey; by Mr. Hall, of N. C. from inhabitants of Beaufort county, in that state; all which were read, referred, &c.

Mr. Binney presented a memorial from the select and common council of the city of Philadelphia, stating the effect of the course pursued in relation to the currency, especially on the property held by them in trust for the benefit of the city, and praying for a recharter of the bank.

Memorials, &c. approving of the removal of the deposits, &c. were presented by Mr. Pierson, from certain citizens of Troy, N. York; by Mr. Beardsley, from 600 citizens of Utica; by Mr. Dickerson, from Paterson, N. J.; by Mr. Muhlenberg, (several memorials, some in German and others in English) from 5,480 inhabitants of Berks county, Pa.; by Mr. Sutherland, from a meeting in Delaware county, Pa.; by the same from certain citizens of Blackley, Pa.; by the same from the democratic Jackson association of Southwark; by the same from 3,179 voters of the third congressional district; by Mr. Wagener, from inhabitants of Northampton county, Pa.; by Mr. Anthony, of Pa. from 1,118 citizens of Northampton county, Pa.; by Mr. Galbroth, from the town of Franklin, Venango county, Pa.; by Mr. Beale, of Va. from certain citizens of that state belonging to the state rights party; by Mr. Bynum, of N. C. from citizens of Halifax county, in that state; by Mr. Leavitt, from inhabitants of Jefferson county, Ohio; by the same from inhabitants of Harrison county, Ohio; by Mr. Pearce, from citizens of Pawtucket village, R. Island; by Mr. Lansing, from inhabitants of Albany, N. York; by Mr. Dickerson, from inhabitants of Essex county, N. Jersey; by Mr. Hall, of N. C. from citizens of Edgecombe county, in that state; all which were read, referred, &c.

Mr. Doon asked leave to offer a resolution, fixing a day for the adjournment of congress. Objections being made, he moved to suspend the rule, but, in consequence of numerous remonstrances all around him, he immediately withdrew the motion.

Mr. Ewing sent certain papers to the clerk's table containing programmes, drafts and outlines for the establishment of a national currency, which he wished to have printed, and observed, that, if the house would hear him on the subject, he would promise to occupy not more than an hour. The speaker said these papers could not be presented but by unanimous consent. Loud objections being made to the leave, Mr. Ewing withdrew his motion.

The whole of the residue of the day was taken up in the presentation of memorials and petitions, generally of a private or local character. The house adjourned.

Tuesday, April 8. Various bills for the relief of private individuals were reported, twice read and committed.

Mr. R. M. Johnson submitted a resolution which was agreed to, directing the secretary of war to cause a revision of the system of army tactics to be made, and reported to the next session of congress.

The resolution of Mr. Mardis on the deposit question coming up,

Mr. Corwin, of Ohio, resumed the floor, and continued his speech until the expiration of the hour—when

The house took up the commutation bill as in committee of the whole.

Mr. Cramer resumed his remarks, and having concluded his speech,

Mr. Crane obtained the floor, but yielded it at the suggestion of Mr. Polk, when the house, on motion of the latter gentleman, took up the general appropriation bill.

The bill was read by sections, and, after various proceedings—

Mr. Vance, of Ohio, asked leave to have an amendment printed, which he proposed at the proper time, to offer, in committee of the whole, in connection with the appropriation bill, which had been under consideration to-day.

Objection being made, the reading of the amendment was called for. It proposes that from and after the passage of this act, instead of the compensation now allowed by law, there shall be paid to the within named officers the following sums per annum:

“To each of the secretaries, of state, treasury, war and navy, four thousand dollars. To the postmaster general, three thousand five hundred dollars. To each assistant postmaster general, eighteen hundred dollars. To each of the controllers of the treasury, two thousand dollars. To each of the auditors of the treasury, two thousand dollars. To the solicitor of the treasury, two thousand dollars. To the register of the treasury, two thousand dollars. To the treasurer, two thousand dollars. To the commissioner of Indian affairs, two thousand dollars. To the commissioner of the general land office, two thousand dollars.”

It provides also, for a reduction of thirty-three and one-third per centum per annum from each of the following officers, viz: from all officers of the customs; from all officers connected with the system of the public lands, either as surveyors general, registers, receivers or clerks; from all the clerks in the general post office, deputy postmasters, their assistants and clerks; and from all persons connected with the Indian department as superintendents, agents, sub agents, interpreters, agents for removals, commissioners, or in whatever other manner employed. It also proposes to reduce the per diem of members of congress to \$6 instead of \$8, and a like reduction on their travelling allowance to and from the seat of government, and it provides after the expiration of the present presidential term, the salary of the president of the United States shall be \$15,000 instead of \$25,000 as now allowed.

Mr. Vance now moved for the suspension of the rule, so as to allow him to make a motion to have his amendment printed. On which question,

Mr. Crane demanded the yeas and nays.

They were ordered and taken, and stood as follows:

YEAS—Messrs. John Quincy Adams, Heman Allen, John J. Allen, Chilton Allan, William Allen, Archer, Barber, Barringer, Bates, Baylies, Beatty, Binney, Bouldin, Briggs, Bull, Burd, Casey, Chambers, Chaney, Chilton, William Clark, Clayton, Clowney, Connor, Corwin, Coulter, Crane, Crockett, Davenport, Deberry, Deming, Denny, Dennis, Duncan, Ellsworth, Evans, Edward Everett, H. Everett, Ewing, Fillmore, Foot, Philo C. Fuller, Fulton, Gholson, Gilmer, Gorham, Graham, Grayson, Greenell, Hiland Hall, Hard, Hardin, Jos. M. Harper, James Harper, Hazeltine, Heath, Heister, Jabez W. Huntington, Jackson, William C. Johnson, Benjamin Jones, Kimnard, Lane, Lay, Leavitt, Lincoln, Lytle, Martindale, Marshall, McCarty, McKennan, McVean, Mercer, Milligan, Robert Mitchell, Moore, Patterson, Pinckney, Potts, Ramsay, Reed, Selden, W. B. Shepard, Aug. H. Shepperd, William Slade, Charles Slade, Sloane, Spangler, William P. Taylor, Thompson, Tompkins, Turner, Tweedy, Vance, Van Houten, Vinton, Watmough, Whalon, Edward D. White, Fred. Whitlsey, Elisha Whitlsey, Wilde, Williams, Wise, Young—105.

NAYS—Messrs. J. Adams, Anthony, Beale, Bean, Beardsley, Beaumont, John Bell, Boeckie, Bodie, Brown, Bunch, Bynum, Cage, Cambreleng, Carmichael, Carr, Chinn, Sml. Clark, Clay, Coffey, Day, W. C. Fuller, Gillet, J. Hill, Halsey, Harnegan, Harrison, Hathaway, Hawkins, Henderson, Howell, Abel Huntington, Jarvis, R. M. Johnson, Noadiah Johnson,

Kavanaugh, King, Lansing, Lawrence, Luke Lea, Loyal, Abijah Mann, Joel K. Mann, Mardis, Moses Mason, McIntire, McKinley, McLene, Miller, Osgood, Page, Parker, D. J. Pearce, Peyton, Franklin Pearce, Polk, Selley, Smith, Speight, Standifer, Stoddert, Sutherland, Francis Thomas, Philemon Thomas, Turrill, Wagener, Wayne—67.

There being not two-thirds in favor of suspending the rule, as moved, the motion of Mr. Vance, to print the amendment, was overruled. The house then adjourned.

Wednesday, April 9. The resolution submitted yesterday, calling upon the secretary of war for a detailed estimate for the repairs of the Cumberland road, east of the Ohio river, was taken up and agreed to.

The resolution of Mr. Mardis relative to the deposits was taken up, when

Mr. Corwin resumed and continued his remarks till the expiration of the hour.

On motion of Mr. Polk, the house went into committee of the whole on the general appropriation bill.

Mr. J. Q. Adams moved to amend the bill so as to strike out that item in the bill which went to allow \$1,400 for the salary of a clerk in the office of the department of state, for one year, to arrange and index certain papers; whereupon a long and animated debate arose, and, after a verbal amendment being offered to the item in the bill, by Mr. Binney, the amendment of Mr. Adams prevailed by a vote of ayes 89 nays 70; so the appropriation was stricken out.

Thereupon the committee, rose, and reported progress. And the house at 5 o'clock adjourned.

Thursday, April 10. Owing to the indisposition of Mr. Corwin, who is entitled to the floor, the resolution of Mr. Mardis, relative to the deposits, was laid over until to-morrow.

At the suggestion of Mr. Whitlsey, of Ohio, the house agreed to take up snell resolutions as had been long lying on the speaker's table, as would not elicit debate.

They were accordingly taken up, and seventy or eighty of them agreed to.

[Among those laid over were the following, moved this day by Mr. Davis, of South Carolina:

Resolved, That the powers of the executive department of the federal government have increased beyond the authority of the constitution.

Resolved, That the powers of the executive department of the federal government have increased, are increasing, and ought to be diminished.

Resolved, That the patronage of the president of the United States has increased, is increasing, and ought to be diminished.]

At one o'clock, the house, on motion of Mr. Polk, took up the general appropriation bill, as in committee of the whole.

When Mr. Vance moved an amendment (the same, in substance, as heretofore published, but with some variations, limiting the reduction of clerk's salaries to twenty-five per cent. &c. &c.) proposing a reduction in the salaries of all the officers of government. The debate on this amendment occupied the committee till past 4 o'clock, when they had only got as far in this list of officers as the office of the commissioner of the department of Indian affairs. The question was taken separately on the salary of each officer, and the reduction on each successively negatived, as far as the committee of the whole proceeded with them. The committee then rose, and the house adjourned.

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INSTRUCTION TO MR. McKIM.

To the voters of the fifth congressional district of Maryland.

The delegates appointed by the first five wards of the city of Baltimore, the county of Anne Arundel and the city of Annapolis, to proceed to the city of Washington, and present certain instructions to the hon. Isaac McKim, our representative in congress—respectfully beg leave to report:

That they assembled at the city of Washington on Tuesday, the 1st April, organized their body by calling Charles Carroll, of Anne Arundel, to the chair, and according to arrangement, waited upon Mr. McKim on Thursday, 3d April, at 12 o'clock, when the following letter was read by the chairman and then presented to him:

Washington city, Gadsby's hotel, 3d April, 1834.

SIR: The undersigned, deeply impressed with the conviction that the distress which now pervades our country, has been produced by the removal of the deposits from the bank of the United States, and the attitude assumed by the executive with regard to that question, look to congress alone for relief from the evils which this ill advised measure has brought upon the country.

In order that our representative in congress should be apprised of the real wishes of his constituents, and feeling assured that he will not hesitate to conform to those wishes to their fullest extent, when properly made acquainted with them—we beg leave to inform you, that meetings have been held in various sections of the 5th congressional district of Maryland, and that resolutions have been adopted at those meetings, and signed by a large majority of your constituents.

The undersigned were appointed a delegation to proceed to Washington to communicate to you this fact. In obedience to their instructions, they have now the honor to present to you the resolutions as passed at those meetings, with the accompanying signatures.

Annexed is an official statement\* of the number of votes taken at the last congressional election in the 5th district, on examination of which, it will be found that there were 6,001 votes taken at that election.

The resolutions which the undersigned have now the honor to hand to you have been signed by 3,717 voters, all of whom we firmly believe to be legal voters in their respective districts, showing a majority of 715 [1,433] votes.

From the anxiety which your constituents feel to know your determination on this important subject, the undersigned will conclude this communication by remarking that they will be most happy to hear from you at your earliest convenience. We are, very respectfully, your most obedient servants.

CHARLES CARROLL, chairman.

ALEXANDER KIRKLAND,  
MATTHEW KELLY,  
R. D. MILLHOLLAND,  
AARON CLAP,  
GEORGE F. THOME,  
JAMES TONGUE,  
WILLIAM BROGDEN,  
THOMAS HODGES,  
BENJAMIN WATKINS,  
CHAS. S. W. DORSEY,  
GEORGE HOWARD,  
THOMAS S. HERBERT,  
THOMAS DUCKETT,  
JOSEPH H. NICHOLSON,

Delegation from the first 5 wards of the city of Baltimore.

Delegation from Anne Arundel county and the city of Annapolis.

To which Mr. McKim made the following reply:

Mr. Chairman: I beg leave to state to the delegation that I fully acknowledge the right of instruction by the majority, when that majority can be well ascertained.

The papers now left with me by the delegation, shall receive a most careful and attentive consideration, as the subject most justly demands, and I shall try, to the best of my ability, to come to a just and correct decision thereon.

ISAAC MCKIM.

The delegation having thus committed the subject of the resolutions to the representative of the district, consider their duties closed; and they cannot but hope that so authentic a manifestation of the wishes of his constituents will not be without its proper influence, while they believe that the example which this proceeding has afforded to the country, may be beneficially followed in the other districts of the state.

☞ Signed as above.

BANK OF MARYLAND.

The following correspondence has been published in the daily papers: *Baltimore, April 2d, 1834.*

To R. W. Gill, Jacob Albert, Alexander Fridge, esq's.

GENTLEMEN—The report of the committee of fifteen, which appears in the papers of this morning, in relation to the concerns of the bank of Maryland, seems, not only in my own opinion, but in the opinion of friends in whose judgment I confide, to be calculated to convey the impression that I had not cheerfully acceded to each of the propositions made to me by the committee that were finally thought by them to be just in relation to the trustees, or at all material to the interests of the creditors.

As both my verbal and written communications in the whole of this affair were with you as the organs of the committee, you will, I am sure, do me the justice to state in reply to this note, whether I have not throughout the entire negotiation, not only willingly consented but desired that the trust should be

\*Note by the editor of the Register—Here are added the certificates of the clerk of the executive council showing the following results of the election held in October last—

	McKim.	Stewart.
Anne Arundel county.....	1,132	1,114
5 wards Baltimore.....	2,049	1,678
	3,181	2,792
	2,792	
	5,973	

So it appears that 28 votes were, in the whole, without the name of either gentleman for congress. Mr. McKim's majority 289.

{To make the matter plain we add the following note which appears in the Baltimore Chronicle of Monday last.

The worthy gentlemen who presented the instruction of the voters of the 5th congressional district to Mr. McKim, made a great mistake in the use of the word "majority."

They say that the whole number of votes taken at the last election was 6,001—and that 3,717 voters have signed the instruction. Then—

From the whole number of votes	6,001
Deduct the number of the signers	3,717
And there is left	2,284
which deducted from 3,717 leaves a majority of 1,433—one thousand four hundred and thirty-three.	

If one be taken from one side and added to the other, it does not change the "plurality," but gives two to the majority.

placed as well in relation to the number of trustees to be associated with me, the mode of their appointment, and the manner of executing the trust, precisely upon the footing which the committee have ultimately recommended.

You will further oblige me, by stating, what I understand to be the fact, if in our acceptance of the trust, as proposed to be regulated by the committee, there was any material difference of opinion between my co-trustee, J. B. Morris, esq. and myself, when we were called upon prior to the final arrangement, to express our determination upon the subject.

The acceptance of the third trustee, R. W. Gill, esq. having been given after all the conditions of the trust had been agreed upon, is of course evidence of his entire acquiescence in their propriety. Very respectfully. THO: ELLICOTT.

Baltimore, April 2d, 1834.

SIR—Your letter of this date, addressed to Messrs. Gill, Fridge and Albert, has been laid before the committee by those gentlemen, who beg leave in reply to state, that having again carefully examined the report, we cannot discover any ground for the impression it seems to have made upon you and the friends you have consulted. A recurrence to the correspondence which has taken place on this subject will show that it could not have been the intention of the committee that any such impressions should be made. If desired by you, that correspondence shall be published.

It is proper in explanation to say, that the propositions to which you alluded came originally from yourself—that which related to the appointment of additional trustees, was acceded to by the committee—the others were modified. By order of the committee of fifteen, I am respectfully,

ALEX<sup>R</sup> FRIDGE, chairman, pro tem.  
CHARLES C. HARPER, secretary.

To the creditors of the bank of Maryland.

The original deeds executed by the president and directors of the bank of Maryland to Thomas Ellicott, provided, that he, in the entire execution of the trust created thereby, should act under the advice and direction of the honorable Stevenson Archer and Thomas B. Dorsey, and in case they declined to act, then under the advice and direction of such other person or persons as they might name. Those gentlemen having declined acting, appointed Reverdy Johnson and John V. L. McMahon, esquires, as the advisers and directors of said trust. In conformity with the resolutions agreed upon by the general committee of the creditors, and Thomas Ellicott, and by the direction of the said advisers of the trustees, a deed of assignment from Thomas Ellicott, and the president and directors of the bank of Maryland, uniting John B. Morris and Richard W. Gill, as trustees with the said Thomas Ellicott, according to the conditions of the original deed of trust, was executed and delivered to the subscribers upon the 5th April, instant, who were thus properly authorized to proceed with the affairs of the said trust.

The trustees have directed a statement of the condition of the bank to be prepared for the information of the creditors as speedily as practicable, which, when ready, will be submitted to them.

Persons interested, will please take notice, that in relation to notes and drafts, not yet due, deposited with the bank of Maryland, merely for collection, by parties not indebted nor liable to the bank, and over which the bank has no right or control, other than as agent, the trustees do not consider that such notes or drafts passed to them by the assignment. Applications for such notes and drafts will be made to the cashier of the bank.

It is proper also to notify the debtors and creditors of the bank, that we are instructed by the advisers and directors of the trust, that the debtors of the bank are under the circumstances attending the creation of this trust, and by the statute laws of Maryland, privileged to discharge their debts with the notes of the bank, certificates of deposit issued by it, or the open accounts due by it, and that, without regard to the period at which such debtors may have become the proprietors of such notes, certificates or accounts, or the value they may have paid for them. This instruction is in answer to an inquiry made by the trustees for their government, and it is their intention to follow it.

THOMAS ELLICOTT, } trustees.  
JOHN B. MORRIS, }  
RICHARD W. GILL. }

Baltimore, 7th April, 1834.

POST OFFICE DEPARTMENT.

As we cannot publish, at length, the debate in the senate, on the 29th ult. on the concerns of the post office department, we copy the following abstract from the "Alexandria Gazette"—

Mr. Leigh said, referring to the statement made in the Blue Book with regard to extra allowances to contractors—

"The contract prices of each and all are stated, and under them the extra allowances (where there are any) are set down, and indicated by an asterism. I began my examination of this list of mail contractors with the state of Maine, and having heard a good deal of conversation since I came here on the subject of these extra allowances, I was greatly surprised to see how few of those states were in Maine, and in the other New England states, and how small was the amount of the extra allowances in that part of the union. The number of them, however, begins to increase in New York, and thence, gradually, till the mail routes cross the Potomac. Getting to Virginia, I

found such a number of asterisms as quite astonished me—there is a perfect galaxy, a milky way, illuminating the mail routes through that state. In a single page (page 250), I find, among others, the following: Alex. Patterson, \$2,300 contract price, \$2,300 extra allowance; Peck & Wolford, \$5,231 contract price, \$6,557 extra allowance; E. Porter & Co. \$25,436 contract price, \$38,232 extra allowance; D. A. & O. Saltmarsh, \$8,000 contract price, \$4,913 extra allowance; Wm. Smith (who lives in the county of Culpeper, from which this memorial comes), and if reports say true, takes a busy part in politics there) \$10,897 68 contract price, \$9,550 extra allowance; and J. N. C. Stockton, \$3,155 contract price, and \$7,610 extra allowance.

These extra allowances, in that single page, (to which my attention was attracted by the light of those ominous stars), amount in the aggregate, to \$59,162, while the aggregate of the contract prices is but \$60,709.

Mr. Clayton said, referring to a report which had been made from the post office department—

"I glanced my eye over it, and found among other things there, by the help of a friend, that the statements of the most extravagant of the extra allowances had, in some thirty or forty instances, undergone erasure; and although the operation had been most delicately performed, it was on investigation ascertained that the name of the person who really made the allowances (William T. Barry, namely) had been scratched out, and that of an assistant postmaster general under Mr. McLean's administration substituted for it. It appeared also that the report entirely evaded and omitted to answer this call expressly made for the additional services of contractors. The man most injured by the misstatement of this official report, applied to the senate for redress, and the senate did, by a unanimous vote, rescind the order for printing the document, on the ground that a report, thus discredited in so many instances was creditable in none. Yet we are now, by the burning of the treasury buildings, deprived of all other statements than those coming from the same sources from which this document proceeded."

Mr. Ewing said: "It is now 3 or 4 weeks since we called on the treasury department for information respecting mail contracts and extra allowances, which, by law, are to be deposited there within a short time after they shall have been made. It was not until last evening that any information was given us on that subject, and we were then informed that the papers relating to that subject had been nearly all consumed, and, among those that remained, no extra allowances appeared to have been reported. The clerk who gave the information, for it was merely verbal, stated, also, that those allowances appear only in pencil marks in the books, or on the copies of the contracts in the post office department. This, sir, is truly a most startling fact. Those extra allowances appear on the Blue Book to the amount of nearly four hundred thousand dollars; have been made by that department which is rendered insolvent by the waste and extravagance of those who control it, and they have avoided the only check which the law imposes upon them, by neglecting to report to the treasury department; and the whole matter stands in pencil marks only on them, in a situation to be altered or obliterated, as may best suit the views of those who have access to them."

In any other age of the republic, how such facts as these would have startled and aroused every man in the country! Will the people suffer such conduct now? Are they prepared to countenance corruption and abuse so monstrous, gross and palpable?

LEGISLATURE OF PENNSYLVANIA.

From the Harrisburgh Intelligencer, of April 3.

Substance of the remarks of Mr. Dunlop, delivered on Tuesday in the house of representatives, upon the resolution of the judiciary committee, "that the speaker issue a warrant to bring James Lesley, esq. before the house to answer for a contempt, for refusal to answer, (before the committee appointed to investigate the expenditures on the canal), the question:

"Do you know whether any engineer, superintendent, supervisor, or any other person or persons holding appointments under them, have been, or are now interested in contracts, on any of the public works, or whether any of the public moneys have been used by any of the public agents now in office, for purposes other than those authorized by law?"

Mr. Dunlop said, that the house had certain express powers relating to powers of investigation of matters of fact—and certain implied powers necessary to carry those powers into successful operation. That the house has power of impeachment, and of voting for the removal of judges, for instance. That these express powers imply the power of examination and enforcing the disclosure of facts relating to the subject or matter. But he said he could not assent to the doctrine that the house have the implied power to enforce the disclosure of facts and discovery of papers by force, the purpose of procuring information upon any and every subject. That the right of enforcing disclosure of facts and discovery of papers by force could not legally be carried beyond the execution of the express powers of investigation as in case of impeachment. But that the house could not enforce the disclosure of facts to enlighten their minds on subjects of a merely legislative nature. That he could not consent to the doctrine of his colleague that the powers of the house to punish for contempt extended, for instance, to the offer of a bribe to a member in his chamber—but that the ne-

cessarily implied powers of the house to arrest for contempt, ought not to be extended beyond the protection of themselves whilst actually acting or about to act as a legislative body and the prosecution of the powers expressly confided to them by the constitution.

With regard to the particular case before the house he argued that the house ought not to issue the warrant to arrest Mr. Lesley on the ground of his being in contempt as he Mr. L. was not bound to answer the question put in the committee, in as much as it was too broad in its terms. That as the committee reported the case to the house, the house ought not to hold Mr. Lesley in contempt, unless, (if the investigation was before the house), he would be bound to answer. That he thought the committee might as well have asked, do you know any scoundrels in Pennsylvania? If you do please state who they are and why you think so. That though the 11th section of the resolution ordering the inquiry, was as general as the question, it did not follow that the committee could put all sorts of questions to a witness, not directed to a particular malpractice or the misconduct of a particular individual.

He concluded his remarks by offering a resolution, that the question propounded to James Lesley, esq. by the committee, appointed, &c. is too general in its terms to justify the house in issuing a warrant to bring him before the house for contempt.

From the same, same date.

☞ Nearly all day yesterday was taken up in debating a resolution of the judiciary committee, in the house of representatives, that the sergeant-at-arms take into custody James Lesley, esq. and bring him before the bar of the house to answer for a contempt of the house in refusing to answer a question put to him by the committee appointed to investigate the conduct of the public agents in the disbursement of money on the public works. Mr. Lesley refused to disclose private and confidential correspondence solicited by himself, after stating that the facts to be disclosed would in no manner criminate himself. [The resolution was passed—67 yeas, 17 nays.]

☞ This morning, (April 3), James Lesley, esq. was brought to the bar of the house by the sergeant-at-arms. Mr. Laeock read a case in congress, of a publisher of a paper that refused in 1812 to testify before the committee of foreign relations. Mr. Alexander moved that the question which Mr. Lesley refused to answer before the committee, be now put to him by the speaker, which after the reading, the report of the committee, was agreed to. Mr. Lesley then stood up and the speaker asked him the question. Mr. Lesley replied in substance that he had every respect for the house, but that he had divulged every thing which he could as a man of honor. Mr. Lesley was then recommitted to the custody of the sergeant-at-arms. Mr. Alexander then offered the following resolution:

Whereas, James Lesley having been brought before the house of representatives, by the sergeant-at-arms, on a warrant issued against him for a contempt, and it appearing from the testimony offered and accepted, to sustain the charge against him, and from his answer before the house, that there was no intention on his part to resist the due execution of the laws; but, that he was actuated solely by a principle of honor, magnanimous in its conception, yet mistaken in abstract legal contemplation. And, as the majesty of the laws, and the dignity of the house of representatives, have been fully vindicated and sustained; Therefore

Resolved, That the said James Lesley be forthwith discharged from custody.

After considerable debate, in which Messrs. Alexander, Holcomb, Walker, Crawford, of Franklin, Stevens, Laeock and Keating took part, the resolution was postponed, and Mr. Lesley was again brought before the house, when he again refused to testify, but stated that nothing that he could state would implicate the canal commissioners. He was again committed to the custody of the sergeant-at-arms, and the resolution of Mr. Alexander to discharge him, was again taken up.

The debate on the resolution was continued by Messrs. Alexander, Laeock, Thompson, Holcomb, McCreery, Barclay, Wallace, Dunlop, Crawford, of Franklin and Kerr, of Butler, to a late hour, when it was negatived, the vote being yeas 19, nays 69.

So Mr. Lesley, is still in the custody of the sergeant-at-arms, [Mr. L. remained in custody at the date of our last account, Ed. Res.]

LEGISLATURE OF NEW YORK.

REPORT OF THE JOINT COMMITTEE ON THE GOVERNOR'S MESSAGE.

[Report made to the assembly, March 31.]

Mr. Morris, from the joint committee of the two houses, to whom was referred the special message of the governor, of the 24th March, 1854, reported:

That they have given to the subject all the consideration which its importance demands, and that their deliberations have resulted in an unanimous assent to the propriety of the measure, which the governor has recommended to the legislature. They have prepared a bill accordingly; but before they proceed to submit the details of the plan on which they have united, they deem it due to the occasion to advert to the circumstances which render its adoption expedient, and to the relation in which the state of New York has for several years stood to the great question of rechartering the bank of the United States.

The right of congress, under the constitution of the U. States, to incorporate such an institution, has uniformly been denied by many of our citizens; while others, who supposed that such a right, though not given in terms, might be drawn by implication from express grants of power, became at an early day alarmed at the influence which the bank had acquired by its control over the moneyed institutions of the states, and by gaining over to its service many individuals of distinguished talents, who had uniformly been hostile to it. All saw in these indications of strength, a danger that it might be perverted to the accomplishment of objects altogether inconsistent with that freedom of opinion, on which the durability of our political institutions essentially depends. An apprehension on the one hand, of a concentration of power dangerous to the government and the people; and on the other, a deliberate conviction of the unconstitutionality of the bank, led, in the year 1831, to an expression on the part of the legislature of this state, adverse to the renewal of its charter. Since that time, the electors of this state have repeatedly evinced their strong repugnance to it, notwithstanding the efforts of that institution to bring about a change in its favor, by purchasing presses and attempting to corrupt the fountains of public opinion. But the firmness with which all these efforts have been resisted by the great body of the people, has fully demonstrated the existence of a deep-rooted conviction on their part, that it ought not to be continued beyond the period for which it is chartered.

In pursuance of the design referred to on the part of the bank, to produce a change of opinion in its favor, its accommodations were extended throughout the union, from about forty-two to seventy millions of dollars, between December, 1830, and May, 1832. In this expansion of its loans, our own citizens largely participated; and the unnatural impulse which it gave to business and the spirit of commercial enterprise, has made the subsequent contraction of the operations of the bank, more embarrassing and disastrous in its consequences.

Unsuccessful in its attempts to control public opinion, by appeals to the pecuniary interests of the people, the bank immediately commenced a system of curtailment; and there is abundant reason to believe that it was the result of a deliberate plan to create wide-spread embarrassment and suffering, for the purpose of extorting from the wants and fears of the community an expression which it had failed to obtain by the extension of its favors. There is equal reason to believe that the principal effects of the contraction referred to, have been made to fall upon the citizens of this state: an object by no means difficult to accomplish, as the commercial operations of the union have centered for many years in the city of New York. And although the statements of the branch in that city exhibit no diminution of the amount of its discounts, it is nevertheless well understood that the bank, while it has refused to the city merchants the usual accommodations in collecting the debts due them from other states, has, by the purchase of domestic exchange on N. York, through its southern and western branches, availed itself of their indebtedness, for the purpose of visiting upon them the distress and alarm on which it founded its hopes of coercing the people into a renewal of its charter.

It is conceded on all hands, that the condition of this state would have been one of extraordinary prosperity, but for the embarrassments which have grown out of the operations of the bank. That the payment of duties in cash, by withdrawing a large amount of credits, which were equivalent to capital in the business of the merchants, has contributed to the prevailing difficulties, cannot be denied. But it is believed that this change of system might have been made without serious embarrassment, if the bank had not retrenched its accommodations at the same time, and by creating alarm, put an end to that interchange of confidence and credit, which is indispensable to the successful prosecution of commercial enterprises. The elements of our prosperity are undiminished: the state was never essentially more prosperous: the surplus production of the last season was almost unexampled; no foreign market has been closed against us; and until the presses in the service of the bank, and the public men who are advocating its recharter, proclaimed that the country was overwhelmed with embarrassment and suffering, our commerce and enterprise were pursuing their accustomed channels with activity and success.

That much of the existing pressure is the fruit of distrust, cannot be denied; but that any portion of this distrust is to be attributed, as the partisans of the bank assert, to the change made by the government in the places for depositing the public moneys, will not be a moment conceded. If the public moneys had been withdrawn from the commercial operations of the country, a corresponding retrenchment would have been the consequence. But it is difficult to conceive in what manner their transfer from one institution to another, having nearly the same local situation, and possessing similar means of extending accommodations to business men, could have produced the effects ascribed to it. The local banks, which received these moneys, have discounted upon them freely, and it is believed that they have been the principal means of sustaining the community against the evil consequences resulting from the contraction of the accommodations of the bank of the United States, which, from the period when its curtailments commenced, have been reduced about sixteen millions of dollars. That this contraction has been made in a capricious manner, and been carried to an unnecessary extent, can hardly be disputed: nor is it doubted that it might close all its concerns without producing embarrassment in the business affairs of the country, if it had

not assumed an attitude of hostility to the local banks as well as to the decided expressions of public opinion. The former bank of the United States discontinued its operations without any material check to the public prosperity, although during the contest in congress for a recharter, the same scenes of panic and distress were enacted by its partisans. But the question of its recharter being disposed of, it submitted to its fate, and by means of the state banks, with which it had a friendly understanding, the transfer of its accommodations and business was made without difficulty or commotion.

It is not to be disguised that the state of New York is the peculiar object of hostility to the bank and its partisans. Although we hear of embarrassment and distress in other states, those evils are not depicted elsewhere with the same exaggerated features. Bill-holders have been urged to make demands of specie on the banks; unwearied attempts have been made to bring them into dispute, by declaring them to be on the verge of insolvency; and it has been their misfortune to incur the enmity of men distinguished for their talents in congress, while the moneyed institutions of other states have been almost entirely exempt from their animadversions. Rumors of the failure of particular institutions have been put in circulation simultaneously in different sections of the country; merchants of high standing have been made the subjects of similar impeachment; and no effort has been spared to produce panic and distress for the purpose of inducing the people of this state to take shelter from impending evils under the shadow of the bank of the United States. The credit and stability which our local institutions have derived from the safety fund system have enabled them successfully to resist that grasping monopoly; and we have no hesitation in saying that the attacks, which they have sustained, would, in the absence of the provisions of the safety fund act, have produced the most disastrous consequences. The objections which have been urged against them, by those who have manifested a greater willingness to assail than to understand the system, have been so satisfactorily answered by our senators and representatives in congress, that it is unnecessary for us to recapitulate either the aspersions or their refutation. We cannot, however, forbear to remark that if the annual contributions of one-half of one per cent. for six years only, for the purpose of creating a fund to secure bill-holders, is objected to, the objection is answered by the fact, that in other states the banks are required to contribute annually during the continuance of their charters a larger amount for the support of government; if the evils of a paper currency are pointed out as a source of apprehension, the answer is, that in other states the issues of paper exceed the amount to which our banks are restricted; if a concentration of power by means of the safety fund is feared, we answer, that the interest of each bank is concerned in confining the operations of all the others to their proper limits, and that at least two-thirds of the banks are controlled by individuals, who are politically opposed both to the administration of the state and the nation. Although it is announced that a more liberal policy has been adopted by the bank, it is well known that the arrangement is to be temporary in its duration. There is every reason to believe that the policy of curtailment will be resumed and pursued; and that the people have nothing to hope from the liberality of the bank but through the surrender of principles, which they have repeatedly asserted, and which we are satisfied they will never abandon. The people of this state have always been ready to make all necessary sacrifices of their interest for the public good; and we much mistake them if they do not meet, with a firm and unyielding resistance, every effort to coerce them into an abandonment of their honest opinions on the part of an institution, which has set the authority of the general government at defiance, which has declared that it held in its hand the existence of the state banks, and which has exhibited both the power and the disposition to inflict injury and suffering upon the community.

Experience teaches us that in this warfare upon us our reliance must be upon our own resources. Our banks stand firm, and they are better prepared for the prosecution of the contest than they were when it commenced. Many individuals, however, in our commercial cities, have yielded to the pressure; although the distress has been by no means so great as has been represented. The efforts to create a panic, which should result in the prostration of our moneyed institutions, have been fruitless; and if the business of our citizens were left to regulate itself, confidence would soon be restored. But how long the bank may allow their operations to continue undisturbed, cannot be foreseen; nor is it practicable to ascertain the precise amount of the liabilities of our citizens to that institution, when its operations are spread out through its numerous branches, and when the only avenue, through which any detailed information can be reached, is effectually closed up against the people by the rejection of the government directors. It is, however, stated that its total amount of loans on the 1st of March, inst. exceeded fifty four millions of dollars, of which it is believed seven millions at least, are due from the citizens of this state. It is in the power of that institution to call in a great portion of this amount in a short period; and it may also reach us by sudden curtailments in places having intimate commercial connections with the city of New York; and we should be wanting in prudence and foresight, when we recur to the past manifestations of its designs, if we were not to anticipate and guard against such an exercise of its power as its interest or ambition may dictate.

Other states have already taken such measures as were deemed necessary to protect their citizens both against the gradual withdrawal of its capital and its struggles to perpetuate itself. On our part, no extraordinary legislation would be necessary, if we were sure that its affairs would be closed in such a manner as the interest of the public and its stockholders requires. But when we consider the desperate efforts which it has made to procure a recharter, the assaults of its partisans upon the credit of the country, and the evils which it has visited upon the prosperity of this state, the committee deem it due to our citizens that some measure should be adopted to protect them from an arbitrary exercise of its power. The necessity of such a measure does not grow out of the condition of the banks, or any doubt on our part of their ability to withstand any assault which may be made on them. On the contrary, we are fully satisfied, from a careful examination of the returns of the banks to the commissioners on the 4th of March instant, which were exhibited to us at our request, that nothing but a series of unforeseen and extraordinary calamities could jeopard their safety. But in order to place themselves, as the committee now consider them, beyond the reach of the bank of the United States, they have been compelled to withhold from their customers the accommodations usually granted at this season of the year; and any further contraction of its operations by that institution, might compel them to curtail still farther and thus increase the existing pressure.

It is only under this view of the subject—for the purpose of affording to the business of the city its usual accommodations, and thus securing the country a market for its productions—that the committee feel it incumbent on them to recommend any measure of precaution. Such they understand to be the purport of the governor's message, and concurring, as they do, in the views presented by him, their attention has been directed solely to the object referred to.

In addition to the objections suggested by the governor to the project of a large bank, other considerations of force might be urged against it. But the committee limit themselves to the single remark, that, in their opinion, no such indispensable necessity exists as to warrant the legislature in hazarding the experiment.

The project of a loan upon the credit of the state, is not open to the same objections. It will be a mere pledge of the credit of the state, to the amount loaned, for the protection of its citizens against an unprovoked warfare upon their prosperity, and to enable them to sustain themselves in the effort which they are making, in common with the citizens of other states, to cast off a monopoly alike irresponsible and dangerous to our popular institutions. For the accomplishment of these great objects, affecting the interests of the whole union as well as our own, the committee conceive that we should be wanting in our duty, if we were to hesitate in resorting to the credit of the state as a means of protection, in case the necessity for its interposition should arise. It is, therefore, suggested that the authority to make the loan and issue the stock, be vested in a board of commissioners, composed partly of state officers, in whom the public have long reposed confidence, and partly of individuals known for their talents and integrity, to be appointed by the governor and senate, whose duty it will also be to determine when and to what extent the execution of the measure shall be demanded by the public exigencies. The committee are aware that such a discretion may be objected to: but they see no alternative but to confide it as they propose. Unless this be done, the legislature must either declare that the loan shall be made absolutely, or by refusing to act, leave their constituents at the mercy of an institution, from which they have nothing to expect on the score of justice or liberality.

The amount proposed to be loaned is \$6,000,000, of which \$4,000,000 is set apart for the city of New York, and \$2,000,000 for the different counties of the state, excepting those in the first senate district. The commissioners are to be authorised to issue 5 per cent. state stock for this amount, redeemable at different periods, as they may think proper, but not exceeding 12 years in any case. It is proposed to loan the amount, set apart for the counties, through the agency of the loan officers, under the restrictions of the act authorising the loan of 1808; but the money is in no instance to be delivered to those officers until the board of supervisors of the county shall first determine that their citizens require it; and, as in the case of the loan of 1792, the county will be responsible for any deficiency of principal or interest in the payment of the sums loaned within it. These provisions, while they leave it to the several counties to decide whether the loan is necessary, will insure a certain return of the money to the treasury of the state, after having performed its office of guarding against the evils of factitious as well as real pressure.

It is proposed to loan the sum set apart for the first district, to the banks in the city of New York, which shall make application for it, and shall offer to the state such ample security for the payment of the interest and the reimbursement of the principal as shall be satisfactory to the commissioners; but no part of the sum is to be loaned to any bank, unless in the judgment of the board the public exigencies require it, and in no case is a loan to a bank to exceed one-half of its capital stock. Whenever a loan shall be made, the bank receiving it, should, in order to render it beneficial to the community, be authorised to discount upon it as capital; and in this manner it is believed that the necessities of business men will be much more effectually

relieved than they could be by the intervention of loan officers. The execution of these arrangements will depend upon a concurrence of the banks and the commissioners; and the committee are assured that, in case of necessity, it would afford a relief, the effects of which would be felt throughout the state. The condition of the market in New York, necessarily affects every section of the state; for it is in that city that all our commercial operations centre. The abundance or scarcity of money there, fixes the prices of all the productions of the interior; and upon the ability of the merchant to make purchases, will depend the reward which the farmer, the mechanic and the manufacturer receive for the fruits of their industry. Thus are all classes of our citizens, and all sections of the state, linked together by common ties of interest, which can neither be broken nor relaxed without general embarrassment and suffering. It is by the pressure of the bank of the United States upon the money market of the city, that the distress which is felt in some of the interior counties, has been produced; and it is for the purpose of alleviating it, and guarding against its recurrence, that the proposed loan is set apart to sustain the prosperity of the city; indispensable as it is to the successful employment of the wealth, enterprise and industry of the whole state.

Such are the general features of the relief proposed by the bill, which the committee ask leave to introduce. They are aware that the measure is of no ordinary character, but at the same time it is not without precedent. In 1786, when the country had passed through a long and sanguinary struggle for independence, and had come out of that contest with its commercial confidence impaired, and its citizens embarrassed by the pressure of pecuniary distress, the legislature of this state interposed its credit and loaned to the counties the sum of five hundred thousand dollars. In 1808, when the commerce of the country had been suspended by measures of restriction, indispensable to its preservation, the legislature authorised the fiscal officer of the government to borrow the sum of four hundred thousand dollars, and to loan it to the citizens of the state. In each of these cases, immediate and effectual relief from a temporary pressure was afforded. Then as now, the state was called on by a regard to the welfare and prosperity of its citizens, to put forth its credit for their support. And the committee cannot forbear to add, that if in the cases referred to, the appeal was not unsuccessful, the obligation of the state to stand forth in its strength, seems at least equally imperious, when her commercial prosperity is assailed, the freedom of opinion outraged, and a vast moneyed power seeks to perpetuate itself upon the ruins of our political institutions.

The loans of 1786 and 1808 were not made to banks, or to citizens through the agency of banks; and although the proposition to intrust so large an amount to the credit of the local institutions may meet with some objections, it is apparent that this mode of extending relief and giving renewed activity to our commerce will be more effectual than any other. When we consider that the general government has not hesitated to intrust to three banks in the city of New York a larger sum than is now proposed to be loaned to all of them, and that our citizens have confided to fifteen of those institutions private deposits exceeding \$6,500,000, no reason can be perceived why the state should put less confidence in them than those who have a deeper interest in their stability and credit. Our canal fund, exceeding \$2,500,000, is now and has been for some years, deposited, not only with safety, but with profit, in our banks, principally in the interior of the state; and in the year 1833, the sum of nearly two millions of dollars was drawn from them by the commissioners of the canal fund for the redemption of canal stock. In 1797 the legislature authorised the sale of the United States bank stock, held by the state, amounting to \$1,300,000, to the bank of New York, for which that bank gave its bond. The capital of the bank was never more than one million of dollars; yet a debt exceeding that amount existed against it more than twenty years without any loss to the state: while in the present case, the proposed loans are not to exceed one-half the capital of the banks to which they are made.

It is not to be disguised that this measure ought not to be adopted without necessity. But when we consider the power of the bank of the United States, and its attempts to control public opinion by successive appeals to the favor and the wants of the community, the committee rely with confidence on the patriotism of our citizens to support all measures necessary for our common protection. They will not fail to perceive, that if this vast and irresponsible monopoly is successful in its struggles to maintain itself in opposition to the declared will of the people, it will gradually overshadow and destroy the free institutions under which we live.

J. W. EDMONDS,  
C. L. LIVINGSTON, } of the senate.  
SAM'L L. EDWARDS,  
ROBT. H. MORRIS,  
OLIVER PHELPS,  
AMASA J. PARKER, } of the assembly.  
MELANCTHON WHEELER,  
W. H. ANGLER,

March 31, 1834.

An act to loan the credit of this state to the people thereof. The people of the state of New York, represented in the senate and assembly, do enact as follows:

§1. The commissioners hereinafter named are hereby authorised, if, in their opinion, the public interest shall require it, by

an order in writing signed by a majority of them and filed in the office of the comptroller, from time to time, whenever they shall deem it expedient, to direct the comptroller to issue special certificates of stock, in such manner and under such regulations as are hereinafter provided, for an amount not exceeding in the whole six millions of dollars; for the redemption of which, and the punctual payment of the interest thereon, as herein provided, to the owners of such stock, the faith and credit of the people of this state is hereby pledged.

§2. Upon the filing of every such order, the comptroller shall issue certificates of stock to the amount required thereby, in such sums and to such persons or bodies corporate as the said commissioners, or a majority of them, may direct, for the purpose of being loaned as hereinafter directed.

§3. The said commissioners are hereby authorised to loan so much of the said stock when so issued as aforesaid, as in their opinion the public interest may require, to such of the incorporated banking institutions in the city of New York, as they shall deem proper, not exceeding in the whole four millions of dollars, and in such sums to each as they shall deem proper, not exceeding in amount to any one institution one-half the capital stock of such institution, at a rate of interest not less than five per cent. upon its par value; and the said commissioners before they shall make any such loan, shall examine particularly into the affairs of such bank. And the said commissioners may also at their discretion, take such security for the punctual payment of said interest and the ultimate payment of said principal, as they shall deem proper and necessary to insure such payments at such time as may be agreed upon, not extending beyond the time when the principal of said stock shall be reimbursable.

§4. The certificates of stock to be issued as aforesaid shall be issued in the manner provided by chapter 320 of the laws of 1831, and the said stock shall be transferable at the pleasure of the owner, in the same manner and at the same place as the canal stocks of this state are now transferable.

§5. The said stock shall bear an interest of five per centum per annum, payable quarter yearly at the Manhattan bank in the city of New York, and shall be reimbursable at such time or times within twelve years from the passage of this act, as the said commissioners shall designate.

§6. The presidents of the respective banks to which such stock may be loaned, shall cause public notice to be given for at least two days in two of the daily newspapers printed in the city of New York, of the time and place at which the said stock will be sold, and the said stock shall be sold at such time and place at public auction to the highest bidder, and the amount of any premium received on such sales shall be paid into the treasury of this state for the benefit of the general fund. But at any such sale the corporation to which such stock may belong, shall be at liberty to bid for the same and become the purchaser thereof.

§7. The said commissioners hereinafter named, are also authorised in like manner, from time to time, as they may judge expedient, to require an issue of like stock to an amount not exceeding in the whole two millions of dollars, and when so issued to convert the same into money and pay the same into the treasury of this state, the premium thereon to belong to the general fund, and the capital to be loaned to the citizens of the different counties of this state, except the counties in the first senatorial district, in the manner and subject to the provisions hereinafter mentioned, to wit:

1. The amount to be loaned in each county shall be ascertained by an apportionment of the whole amount of two millions of dollars, among such counties according to the number of inhabitants in each, as ascertained by the census taken in the year 1830.

2. No loan shall be made to the citizens of any county until an application therefor shall have been made to said commissioners by the board of supervisors of such county.

3. The moneys to be loaned in each county shall be loaned by the "commissioners for loaning money" in such county, under the act of April 11, 1808, and where there shall be no such commissioners in any county, they may be appointed in the same manner, and shall hold their offices for the same term and upon the same tenure as if appointed under said act.

4. The commissioners of each county, before entering upon the duties of their office under this act, shall take the oath of office as prescribed by the constitution of this state, and file in the office of the comptroller a like bond as is provided for by the fourth section of the act last aforesaid, in addition to the bond required by that section in cases where that may now be required.

5. The principal moneys to be loaned under this act shall be payable at such time or times, within twelve years from the passage of this act, as the said commissioners mentioned in the eleventh section of this act, shall designate, and the interest thereon at the rate of six per centum per annum, shall be payable on the first Tuesday of May in each year.

6. The said commissioners for loaning money shall keep separate books and accounts relating to the loan authorised by this act, distinct from their other loan office books and accounts, and in addition to the evidences of title required by said last mentioned act, it shall be the duty of the said commissioners to require of the borrower a certificate from the county clerk and a clerk of the supreme court, shewing that there is no incum-

brance upon the property proposed to be mortgaged on record in their offices.

7. Whenever any principal moneys loaned by said commissioners shall be paid in to them, it shall not be reloaned, but shall be paid into the treasury of this state.

§8. The moneys to be realized from the stock authorised to be issued under the preceding section of this act, shall belong to the general fund of this state, and the interest upon said stock shall be paid out of the said general fund.

§9. Except as herein otherwise provided, all the provisions of the act aforesaid, entitled "an act authorising a loan of moneys to the people of this state," passed April 11, 1808; and also of the act to amend the same, passed March 29, 1829; and also of the act, entitled "an act to provide for the conveyance of land sold by a commissioner of loans under the act, entitled 'an act authorising a loan of moneys to the citizens of this state,' passed April 21, 1825," shall apply to the loans to be made under the seventh section of this act, in the same manner as if the moneys loaned constituted a part of the said loan of 1808.

§10. Whenever upon the foreclosure and sale of any premises mortgaged to secure any loan made under the seventh section of this act, the said mortgaged premises shall not bring the amount due and to become due upon said mortgage with the costs of foreclosure and sale, the deficiency shall be reported by the commissioners making such sale, to the board of supervisors of the county, who shall at their next annual meeting for that purpose, cause such deficiency and the interest thereon, to be raised as part of the contingent charges of such county, and paid over to the county treasurer whose duty it shall be to pay the same over to the said commissioners for loaning money.

§11. The comptroller, the attorney general, the secretary of state and the bank commissioner appointed by the governor, and three such citizens as shall for that purpose be appointed by the senate on the nomination of the governor, shall be commissioners to carry this act into effect; but it shall not be lawful for them to require any issue of stock as herein before provided, after the first day of February next.

§12. This act shall take effect immediately upon the passage thereof.

An act in relation to certain banks.

*The people of the state of New York, represented in senate and assembly, do enact as follows:*

§1. When any bank shall obtain a loan pursuant to the act entitled "an act to loan the credit of this state to the people thereof," the amount of such loan may be regarded as capital, for the purpose of enabling the bank to increase its discounts; but such bank shall not increase its circulation beyond the amount now authorised by law.

§2. This act shall take effect on the passing thereof.

*In assembly—April 2.*

On motion of Mr. A. J. Parker, the general orders were laid on the table, and the house resolved itself into a committee of the whole, Mr. McKnight in the chair, on the bill to loan the credit of this state to the people thereof.

The committee passed the remaining sections of the bill, as reported by the joint committee, without material amendment.

An additional section was adopted, on motion of Mr. Haigh, providing that, in case the supervisors of any county should refuse or neglect to take the loans provided for such county, loan should be made to the bank or banks in the county; and if there shall be no bank in the county, then to any other banks in the state, at the discretion of the commissioners.

Another section was adopted on motion of the speaker, providing for calling special meetings of the boards of supervisors of the several counties.

The same committee passed the bill in relation to certain banks. [Authorises the banks to which loans shall be made in pursuance of the act just passed, to discount on such loans as on so much additional capital.]

The question on agreeing with the committee in their report on the bill to loan the credit of the state to the people thereof was decided in the affirmative, yeas 89, noes 12.

The following are the yeas and noes on the final passage of the bill—

*Yeas*—Messrs. Anderson, Angel, Anthony, Archibald, Arnold, Barnes, Bartle, Beardslee, Bockeven, Bowne, Brasher, Brown, Butrick, Campbell, Cargill, Case, Chamberlin, Church, Clark, Coe, Conklin, Crosby, Culver, Cuykendall, Degrauw, Dusenbury, Dyer, Ellithorp, Enos, Fowler, Gardner, Germond, Gordon, Grinnell, Groom, Guinnip, Haight, Hall, Hasbroack, Heally, Herttel, Hone, Hough, Humphrey, Hunt, Ingalls, Johnston, Jones, Kernan, Kingman, Livingston, Mabbett, Marvin, McKee, McKnight, Mercereau, Morrell, Morris, Myers, Myrick, Nichols, Orr, Osborne, Palmer, A. J. Parker, J. S. Parker, J. H. Parker, Phelps, Ringold, O. Robinson, J. P. Robinson, Ruggles, Schermerhorn, Shays, Smith, Snyder, Spafard, Speaker, Staats, Stafford, Stevenson, Stone, Strong, Sumner, Terry, Thomson, Titus, Todd, Wait, West, Wheaton, Wheeler, Wiles, Williams, Winfield, Wright, Younglove, Young—98.

*Noes*—Messrs. Clary, Dana, Emmons, Fleming, Fox, Harris, Lewis, Parkhurst, Patterson, Robertson, Ward, Whipple—12. [The bill has also probably passed the senate, with not more than 5 or 6 nays. But we have not yet received the particulars.]



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Many articles prepared for this paper have been shoved out. We do all that we can to keep pace with events, and the duties which appear to devolve upon us, in these portentous times.

It is quite plain, we think, that a great crisis in the history of our country is rapidly approaching, and; perhaps, is closer at hand than is generally apprehended. *Things cannot remain and stand still—as they are.* There must be a forward or retrograde movement! The usual political questions of parties are merging into personally interesting, or yet loftier considerations! A whole loaf or half of one—bread or no bread; the constitution and the laws, or the will of individuals. It is not a party question when an hundred men, chiefly with families, shall be discharged from one employ, on two succeeding Saturdays, as it is freely said will be consummated in Baltimore this day, for want of means to pay them; and that several hundreds of other working people may fearfully look to a like operation at the end of the present month, in our vicinity, from the same cause, to be added to the hundreds already out of employment. These are not party matters! There are no speculative opinions in them! They reach the heart and home of every body, and are felt—bitterly felt. Gloomy or desperate faces are met with at every step. *Party* has nothing to do with them. Wives, children and property—liberty and peace—are the things which are under consideration. Pass over the Point and round our wharves, and it would seem as if a withering pestilence was raging amongst us. A worse or better state must soon happen. We repeat it, things cannot remain, and stand still—as they are.

In a succeeding page will be found a brief notice of the contents of an extraordinary paper sent by the president of the United States to the senate, on Thursday last. The "Globe" of the following day contains this paper at full length, but we cannot make room for it without an utter derangement of the week's business. We the less regret this delay because of the abstract of its contents, for which we are indebted to the "National Intelligencer."

We had heard that such a proceeding was contemplated, by way of an appeal to the people, but did not believe that it would be carried out. It will cause a great excitement, and especially in the minds of those opposed to "the government."

It will be observed that when the senate adjourned, a motion that the paper be *not* received, was before that body. With a full senate, we think, there would be no great difficulty in deciding how that proposition would be disposed of.

The house of representatives, in committee of the whole, is voting down all Mr. Vance's proposed retrenchments, and it is believed that the *gag-law* will be enforced to prevent calls of the yeas and nays, when the appropriation bill is reported to the house—but the senate can and will "correct the procedure", and, by amendments, compel a taking of the yeas and nays in the house, that the people may know those who profess, and those who would practice economy.

Mr. Webster, on his late journey to Boston, was received and parted with at Philadelphia, New York, Providence, &c. by thousands of the people.

Messrs. Poindexter, Preston and McDuffie visited Philadelphia the beginning of this week, and received the most flattering attentions of the citizens—thousands having waited upon to honor them; and they were dined, &c. with great enthusiasm. We intend to give some of the particulars in our next.

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The bank of the United States is *arming* itself with specie. Most of the late large importations are on its account. It will sustain a sound currency. Its notes are like old gold. The confidence of the people reposes in it. The sound of "the horn," or of the *hurrah*, is silenced by the jingling of its dollars! In the wreck of banks, it stands fearless. The "reptile" is the chief—the "monster" has become the barrier between *honest labor* and "rag-barons;" and other paper money manufacturers. It is like a rock in the ocean. It laughs at the storms which folly and prejudice and passion and false dealing raise against it. The story sent forth "by authority" that it has caused the pressure, is kicked out of every decent company, by the power of truth, and even the least informed of the people begin to ask—*what harm hath the bank rendered to me?* "Uncle Sam's" paper reposes in the *back* part of the most common laborer's pocket book, if possessed of various kinds of notes. He relies upon it as a "friend in need." The bank is winning for itself "golden opinions" by its *moderation* and *liberality*. A farthing candle does not affect the light of the sun. The bank has the power to return the mischiefs devised against it—and refrains. It is ready to help its enemies out of the dark ditch into which their own ignorance, or something worse, has cast them. And, it is within the range of probabilities, that its aid may be required by its bitterest opponents! *Nous verrons!*

At the New York stock exchange on Monday last, 141 shares of the stock of this bank were sold at 105@105½.

We were promised a "better currency" than the bank of the United States furnished! Behold "the experiment!" Bills of the Virginia banks were at 5 per cent. discount on Monday last, at Baltimore—at 7½ per cent. on Tuesday, at 10 per cent. on Wednesday, and *fifteen* per cent. on Thursday last, in exchange for *Baltimore* bank notes; and, on the same days, such Baltimore bank notes were at a discount in Richmond!!! Hence we see a "glorious" operation—but the poor man "pays the piper." It is an abominable state of things, and will not be submitted to.

It is our opinion that the Virginia banks are as good as any other state banks in the union.

The Buenos Ayres papers present a fine specimen of "rag money," in the prices current of commodities. For instance, a silver dollar is worth 7 dollars 62½ cents in paper, a doubloon 120, a barrel of flour 60 dollars, and so on.

Speaking of the failure of the four banks in the District of Columbia—viz: two at Washington and one each in Georgetown and Alexandria, the "Globe" of Wednesday says—

"The stoppage of the District banks is, *doubtless*, intended to produce effect on the Virginia elections. Recent movements in this city demonstrate the game that is playing. The banks that have already closed within the District have done so in accordance, *no doubt*, with the views and wishes of the United States bank."

Now this is very obliging, indeed, in the District banks! They become bankrupts just to accommodate the bank of the United States! This brings to recollection what is said to have happened at Newgate, England, when a person was about to be hung, who kicked and struggled and made battle, to prolong his life—on which the reverend chaplain advanced, and in the most soothing and fatherly manner said—"Do, good man, *oblige* me by being hung, peaceably—for the morning is chilly, and I wish to retire! Do my good man—do be hung!"

We are not surprised that such absurdities are manufactured and published in the "Globe"—and they *may* be believed in a certain quarter, and there have the desired effect: but business-men will regard those who believe

them as candidates for the honorary degree of A. S. S. The idea is not, however, original in the "Globe." We think that it was thrown out by some imported patriot in the West, as to the bank of Maryland, that it had failed just to assist in carrying on the war of the bank of the United States against the president! We guess there was a better reason than this for the failure of the bank of Maryland, or its notes would not now be selling at from 40 to 50 cents in the dollar!

The six million loan bill has passed the senate of New York, as we expected, 17 to 4. If all who "do business on borrowed capital ought to break," the state of New York, and the banks that borrow parts of this loan, will be in a bad way!

We most heartily wish relief to the people, and shall be glad to find ourselves mistaken as to the result of this extraordinary proceeding. We think it is calculated to increase the alarm, and add to the pressure on the money market, in the general opinion formed on hundreds of close observations, that a forced credit is altogether inconsistent with a sound or safe policy, in individuals or communities—and affords, in itself, evidence of desperate circumstances. To borrow money in the ordinary operations of business and things, and in the usual way, is often highly beneficial, as well as absolutely necessary—but this is "another affair." The credit of the state is avowedly sent forth to sustain the credit of the banks, that they may sustain the credit of individuals! This is, indeed, an "experiment." We shall see "how it will work."

In the congressional proceedings will be found a brief speech of Mr. McKim, the member from the 5th Maryland district. It is very nearly in the words of a card issued by him, at Baltimore, on the 12th inst. and it is not worth while to insert both. But in reply to his card we have the following notices:

The delegates from the first five wards of the city of Baltimore, who were charged with certain instructions to the hon. Isaac McKim, representative in congress from the 5th congressional district of Maryland, will, in the course of a few days, reply to the address of that gentleman to the voters of the district, which appeared in the Republican of yesterday.

April 15, 1834.

The delegates from the seven election districts of Anne Arundel county, will reply to the communication of the hon. Isaac McKim as soon as the names which he has adverted to as not being on the poll books of the last election can be ascertained. It is well for the present to remark, that there may be a great number of voters whose names are attached to the resolutions presented to Mr. McKim, who did not vote at the last election, and whose names do not appear upon those books. It is obvious therefore, that the poll books cannot be taken as the only proper guide in ascertaining the number of legal voters in the district.

April 15, 1834.

The mis-spelling of names, in the hurry and bustle of an election, by the clerks, not personally acquainted with one-fourth of the voters, perhaps, at the utmost extent, and other causes, renders our poll books very uncertain guides, in the absence of any regularly taken list of qualified voters; for the right of suffrage, in Maryland, as in New York, is a little more than universal! If a stranger is resolved in himself, and has good backers at hand, (and they are easily obtained), he may vote several times at different wards, or more than once, even in one of them, under different names, if he keeps a "bright look out" when a great press is made on the judges—for there is no check on them except in their own discretion, exerted at the moment. We must have a register of voters, at least in our large cities and towns, made out not less than six months before any election at which a person shall be allowed to put in his ballot; and, if his name is not on the list of the ward, being personally unknown to the judges as a resident thereof, let him be rejected, unless on the recorded oaths of two householders that he is entitled to the vote which he offers, under the penalty of perjury to all the parties. This would correct an evil which, if uncontrolled much longer, will deluge the streets of our chief cities with blood. The resident, or tax-paying population, will not suffer the perpetration of such frauds upon the right of suffrage with impunity. They will not permit persons to "kill their votes" to-

day, who, even by the vigilance of a Parisian police, could not be found as citizens to-morrow. It is an abuse that must be abated. Let every man vote as the law gives him a right; but we would make it a penitentiary offence to vote contrary to the law.

[DEFERRED ARTICLE.]

That always veracious paper, the "Albany Argus" of Feb. 14, had a long letter from Washington, pretending to give an account of the anniversary supper of the "Typographical society," in that city, from which the following is extracted:

"After few moments of respectful silence, a letter was read from Hezekiah Niles, esq. regretting his inability to be present at the festival, and wishing health and happiness to the company, and all practitioners of the 'black art' the world over. The letter of Mr. N. as well as I could hear, was exceedingly violent and bitter. After it was finished, his health was drunk as follows:

Mr. Niles, and his 'black heart' (h unspirated)." The "entire" account is of a-piece with this extract—and the whole may be judged by this part. Now, the following is taken from the official account of the proceedings had on that anniversary, copied from the "Telegraph" of January 14—

"The following letter from the veteran printer and editor, Hezekiah Niles, esq. of Baltimore, to whom a special invitation was forwarded, breathes sentiments that show how deserving he is of the courtesy and esteem of his fellow craftsmen:

Baltimore, Jan. 3, 1834.

Dear sir: I regret to say that the nature of my engagements are such, being indeed a working-man, that I cannot visit Washington to-morrow, as I wished; be pleased, therefore, to accept of my thanks for your kind invitation, and present to the committee and the society my sincere, earnest, and hearty wishes for the health and happiness of you all, and every practitioner of the "black art," "rats" and "collar" men always excepted. The former shall not steal the [bread and] cheese in my office from the mouth of honest labor, nor the latter ever find an associate in me. And, while it is with just pleasure that I bear testimony in behalf of the improved standing of the working printers, I much regret to say that the profession is suffering in the public estimation, because that the press has been made the chief instrument of jockeys, wishing to ride into office by the promulgation of error, and the blackening of private persons—and with too much success. Of this sin—of this degradation of our noble art, every regular-bred printer will feel as I do; and, consistently with his other obligations, do all that lie cau to correct and restrain what he cannot "reform."

I take leave, however, to offer you a sentiment:

In the mutual respect which is due between employers and the employed, may the liberality and justice of the former be only exceeded by the industry and fidelity of the latter.

Yours truly,

H. NILES.

Mr. John Dowling, chairman of committee, &c."

And soon after the preceding letter was read, the following toast was offered—

By J. F. Crooker: "Our fellow craftsman Hezekiah Niles, esq. of Baltimore—His successful career as an editor proves that none are more faithful 'Registers' of the events of their country, than those who had first learned to Register the press.

This is all that is said about "Hezekiah Niles, esq." And how out of this could be made the story which appears in the "Albany Argus," can be understood only by those who are conversant with the arts (and know the hearts), of "able editors."

The technical terms are simple, but should be explained. By "rats" are meant irregular workmen, a class of persons that I have never encouraged; "bread and cheese" is an old term in the "chapel" or printing house, and means subsistence—but the words "bread and" were either omitted by me in the hasty note, or left out in the copy. The word "collar" needs no explanation; every dirty dog knows the meaning of it, as the badge of a MASTER—or the pledge of crawling and crouching, though flogged, as evidence of his claim to a bone when wagging his tail,—as a dog ought to wag it, and belching "bow, wow, wow," at the master's bidding, without any reasoning why, as every entire dog should do.

What is there in my note that is "violent and bitter?" The word "collar" may have offended some present, and probably caused the elaste communication to the editor of the "Argus." These fellows often put me in mind of a West India story, about the policy used to detect a thief. The negro slaves of the plantation being gathered, it was proclaimed that the thief was revealed by a par-

\*The editor has not the pleasure of recollecting Mr. Crooker—but asks leave to present his thanks to that gentleman for his handsome compliment on the occasion.

rot's feather hanging to his nose, and the culprit put up his hand to brush it away. So with the miserables—talk of a collar, and each of them believes that a personal reference is made to himself—

"Thus conscience doth make cowards of us all."

If this communication be not the product of the "honorable and honest" Isaac, it must be that of some Englishman, many of whom, or of other fresh importations, are now employed in teaching us "democracy;" for no American, unless as cunning as Isaac, would thus haveasperated *han faich* for the use of the *Halbany Hargus*.

**NEW YORK CITY ELECTION.** The latest accounts from New York, published in our last paper, were dated  $\frac{1}{2}$  past 1 o'clock on the last day of the election, being the 10th inst. and then the report was that the citizens were arming themselves at the arsenal, to suppress large masses of rioters, who were attacking, and knocking down, and, as it was then thought, killing persons at will! We shall now proceed to make a brief record of subsequent proceedings, &c. and give the results.

The affair at the Masonic Hall has been mentioned. A strong body of Irishmen attacked the "whig" committee, whose head quarters were in that building—a rally was made by the Americans, and a terrific scene followed. The mayor and the police were disregarded, and about 15 of the peace officers badly wounded, some of them dangerously, their bones being broken, &c. and "dozens lay on the ground bleeding at a time." It was horrible. Another rally was made. The Americans rushed to the affray, and 10 or 12 of the rioters were arrested, and, in spite of resistance, sent to Bridewell. It was now evident that a *military force* was necessary. The mayor did not wish to use it—but it was decided that the city was in a state of insurrection, and an application was first made to the United States officers on the station. They declined interfering, not feeling authorised. In the mean time the "whigs" had taken possession of the arsenal, and they held it until the arrival of the mayor and his posse. Gen. Morton soon prepared 1,200 men for instant service. They were at the arsenal by 3 o'clock, and bodies of cavalry were ready, armed and mounted in haste. These preparations quickly cooled down the fury of the mob, and order was pretty soon restored, when it was manifest that prompt punishment would follow its violation. Many men remained under arms during the night—for attacks upon the bank and Merchants exchange were loudly threatened, as well as on two or three of the printing offices. But the exertions of the mayor and the vigilance of the police, supported by the *military*, preserved the public peace; and the rebellious spirits, exhausted by three days of almost unremitting exertion and excitement, were thus quieted.

In the affray at the Masonic Hall eight of the police officers were so much hurt that they were carried to the hospital. Capt. Munson, of the city watch, so much so that his life was despaired of. He was shockingly mangled, and several of his ribs were broken. He was also struck with an axe!

Several persons of good standing in society have been freely named in the New York papers, as directing or abetting the rioters, and it seems probable that some of their cases will come before the courts. A large number of persons were arrested at different times, and sent to prison—these were nearly all Irishmen; and as in such cases it most commonly happens, were made the victims of persons "behind the scenes," less *brave* but more *cunning* than they.

We might fill several pages with details of disgusting things that happened—but would forget them, and hope that they will be forgotten, except in organizations to prevent their repetition. They cannot be permitted. Life and property, in the great city of New York, must not be thus made insecure. The mob must be taught

obedience to the law. The extent of the danger is now clearly perceived, and it will be guarded against.

On the day after the election, general Morton issued an order in which he handsomely acknowledged the services of the military.

THE RESULT.

The following shows the whole number of votes, for mayor, and the majorities in each of the wards:

Wards.	Whole No.	Lawrence (J.) Majorities.	Verplanck (anti-J.) Majorities.
1.....	2,104.....	.....	926
2.....	1,678.....	.....	604
3.....	1,911.....	.....	559
4.....	2,413.....	.....	244
5.....	2,483.....	.....	137
6.....	1,698.....	313	.....
7.....	3,023.....	182	.....
8.....	3,630.....	.....	69
9.....	2,725.....	255	.....
10.....	2,850.....	363	.....
11.....	3,090.....	832	.....
12.....	1,475.....	455	.....
13.....	2,240.....	445	.....
14.....	2,095.....	141	.....
15.....	1,531.....	.....	298
	35,147	2,986	2,807

Majority for Lawrence 179

Wards.	Aldermen and Assistant Aldermen.	Jackson.
1	John I. Labagh	6 James Ferris
2	John I. Boyd	7 James Balogh
3	Edward Taylor	8 J. W. Lamb
4	H. Holden	9 John Bolton
5	James Munroe	10 John Belmont
6	Wm. S. Johnson	11 G. Ostrander
7	H. Van Wagonen	12 S. Purdy
8	S. Sparks	13 F. Fickett
9	R. C. Cornell	14 Thomas H. White
10	R. Smith	15 J. L. Varian
11	7 Gilbert Hopkins	16 Isaac Dykeman
12	8 Joseph Tucker	17 John Lovett
13	F. A. Talmadge	Alexander Stewart
14	W. G. Wales	.....
15	L. Snyman	.....
	S. M. Stillwell	.....
	G. W. Breen	.....
	Majorities	Majorities
	3,154	2,381
	2,333	2,250

If these results are fairly stated, it appears that there was a decided majority in favor of the "whig" (as they call themselves) aldermen and assistant aldermen.

The effect of this election places all the municipal power of the city—such as the appointment of all officers, (including the judges of the elections), and disbursement of the city's money, in the hands of the anti-Jackson party—by a majority of four in joint ballot—to say nothing of the election in the 6th ward, which may be set aside. The majority in the board of aldermen is 3, in that of assistant aldermen 1.

We publish some account of a large meeting of adopted [Irish] citizens recently held in New York, with another letter from Dr. Macneven and one from counsellor Sampson, on the recent state of affairs, chiefly for the purpose of relieving those severely hostile feelings which have been extensively produced, because that marshalled bands of natives of Ireland were used at the late election in the city just named as mere *fighting machines*,\* acting with such indiscretion and violence as to make it neces-

\*It is admitted by all sides, we believe, that the mobs were composed of Irishmen, and the proof is in the fact that nearly all arrested by the police were of that class of persons—others not having the reckless courage to do in person, what they advised them to do.

\*We recollect another case that is applicable to the present occasion. A gentleman was writing a letter in a public coffee house in London, and closed by saying, "I would write further, but an impudent scoundrel is looking over my shoulder. I shall knock him down directly, if he is worth it." "I'm not looking over your shoulder!" said the scoundrel. On which the gentleman rose and looking at the thing, with bitter contempt said—"Be easy—you are not worth knocking down."

sary to call out the *military* to restrain and reduce them to order. The outrageous proceedings of these poor and ignorant men, congregated on the worst principles and for the most reprehensible purposes, were more on account, perhaps, of the bad *hearts* of those who arrayed and stimulated them, than of their own wrong *heads*. They were rallied by a battle cry, and, by force, were expected to decide great questions in political economy, of the real merits of which they generally know about as much as the rudest inhabitants of an equinoxial wilderness know of the nature of the mountains of ice which roll in the northern seas, or of the vast fields of frozen water that surround the poles! What could these men know of the principles of the currency, and the delicate relations between men of business, on which the public prosperity so materially depends? Nothing! And yet their aid was invoked to settle disputed questions of right—to act violently against the body of the *American* merchants and traders and mechanics, and establish a *quasi* FOREIGN dominion over the great city of N. York!—and it was reasonably believed, as we should suppose, that from four to six thousand of them, many congregated from distant parts of the country, voted at the late election, who had no sort of interest in the city government! For these and other reasons that might be given, a great degree of excitement has sprung up against this class of persons, and is extending all over the United States. To allay this, and induce persons to make just *discriminations*, at least, as before observed, we publish the proceedings stated—bearing a willing testimony on our part, that natives of Ireland, however ignorant they may be, and rough as they appear, on their arrival in America, because of their privations and oppressions at home, being permanently located in some *regular* business, and spread among the people at large, are capable of the highest state of improvement, and often become among the most discreet and useful part of the population. It is unfortunate that they are collected in masses on any occasion, but wicked to use them as *fighting machines* at the polls—and it is no wonder when we see them arrayed as a *separated* class of the people, that native Americans feel indignant at such proceedings as those which have happened at New York.

The first paragraph of Dr. *Macneven's* letter, we hope, will be carefully considered by all the natives of Ireland, adopted in America. His exhortation, that these should not keep themselves as a separated class, is worthy of his honored name, and that of the illustrious men with whom he struck for liberty—in “times that tried men's souls,” in the land of his fathers.

A very large public meeting was held at the Musical Fund Hall, Philadelphia, on Monday afternoon last, to compliment the “whigs” of New York on the late victory gained by them. Though thousands were in the huge room, other thousands could not get in! It was a complete “jam.” *John Sergeant* was called to the chair, and delivered an address of “great power and ability”—“one of the happiest efforts” of that distinguished man. *Mr. Preston*, of the senate, and *Mr. McDuffie*, of the house of representatives, were present. The first was loudly called for, when *Mr. Sergeant* had concluded, and he addressed the meeting at considerable length. *Mr. McDuffie* was then as loudly named, and he also spoke with his usual arduousness and power, in which he paid a handsome compliment to *Mr. Sergeant*, who, though he had differed in opinion with him, he regarded as a “sterling patriot,” &c. Each of these speeches were received with hearty and continued marks of approbation, and often interrupted with shouts of applause. The like, it is said, had never before been witnessed in Philadelphia. The people were in the highest possible state of enthusiasm. *Gen. Green*, editor of the “Telegraph,” was also called, and briefly thanked the meeting, in an appropriate manner. The resolutions were then read by *Josiah Randall*, and unanimously adopted. “They allude to the recent triumph of the friends of the constitution in New York, in a becoming spirit, and recommend that a public celebration of the victory take place on Saturday next at Powelton, and that our friends in New York be invited to participate with us in the festival.”

We must, at least, defer the particulars of this meeting.

A grand “whig” salute of one hundred guns was fired on the Common, at *Boston*, on receiving news of the result of the election of New York, and a general meeting of the people had been called to express their joy, “in the redemption of the political character of that great commercial metropolis.”

An immense multitude of people partook of a collation in Castle Garden, New York, on Tuesday afternoon, to celebrate the victory gained in the “three days.” The garden was dressed with flags, and every thing prepared on a grand scale. Pipes of wine and barrels of beer were present in abundance, with a full supply of catables. After partaking of refreshments, (in which a great deal of business was done in a short time, by the thousands employed—for many mouths, like many hands, make quick work!) the meeting was organized, by appointing *Benjamin Wells*, carpenter, president, 12 vice presidents and 4 secretaries, of whom there was one cartman,\* one sail maker, one grocer, one watchmaker, one ship carpenter, one potter, one mariner, one physician, one printer, one surveyor, four merchants, &c. The president briefly, but strongly, addressed the multitude as did several other gentlemen. A committee of congratulation from *Philadelphia*, was presented to the people, and received with shouts. *Mr. Verplanck* was then introduced, and received with enthusiastic cheers. An address was read and agreed to. *Mr. Webster*, being in New York, on his way to Washington, was invited to this festival, but he declined in a letter of considerable length, which was now read. A series of strong toasts, and many volun- teers, were next given. A salute was then fired from the miniature frigate *CONSTITUTION*, (which had been drawn through the streets the “three days”)—it was returned by one of the *Austrian* frigates, on which the stripes and stars floated, and that compliment was acknowledged by a salute from the frigate *Brandywine*, which had just hauled into the Hudson. When the time for adjournment arrived, the vast multitude, in a solid column, taking a considerable circuit, proceeded to Greenwich street, where *Mr. Webster* was dining with a friend. Loudly called for, he came forward, and was instantly surrounded by a dense mass of merchants and cartmen, sailors and mechanics, professional men and laborers, &c. seizing him by his hands. He was asked to say a few words to the people, and did so. He exhorted them to perseverance in support of the constitution, and, as a dead silence prevailed, he was heard by thousands. He thanked them, and ended by hoping that God would bless them all. Nine cheers were given, and the people departed for the residence of *Dr. Maeneven*, whom they cheered, and he made a grateful reply to the compliment paid him. Here ended the day's festival, and before 6 o'clock all was quiet—no excesses of any sort were committed, nothing happened to mar the harmony of the meeting, and no act of intemperance was committed, though the means of indulgence were so freely at hand.

Some three or four of the late [regular] speeches delivered in congress should be registered—but the flow of matter is still so great that we do not know what to do with it. The simple reading of all that we ought to read, is a severe operation—in addition to other duties.

We have nothing yet to give any certain indication of the general result of the Virginia elections. The “*Enquirer*” claims a gain of three or four members, in eastern Virginia—but we have no accounts from the western parts of the state. We incline to a belief that the state of parties will remain nearly the same as it was.

There are returns from 29 counties, which give 15 Jackson, and 19 “opposition” members.

*Littleton P. Dennis*, esq. a worthy representative from the state of Maryland in the congress of the United States, died, at Washington, on Monday last, after an illness of six or seven days.

\*This gentleman, *Mr. Milligan*, came forward and took his seat on the right of the president, dressed in his frock, with his whip in his hand, and was received with nine cheers, in which he heartily joined waving his whip.

General *Robert B. Taylor*, one of the most distinguished sons of Virginia, as a practitioner at the bar and a judge, in peace, or as a soldier, in war, died at Norfolk on the 13th inst. universally lamented. He had a peculiar way of obtaining, because he deserved them, the entire confidence and earnest esteem of all who knew him, in every department of his active life. He held the command at Norfolk during the late war—and a very arduous and important one it was. He was equally prompt in his attention to the hospitals, in which hundreds of Americans suffered or died, as he was to the movements of a barbarian-like enemy on the waters of the Chesapeake.

It is stated that *Monticello*, the late residence of Mr. *Jefferson*, has been purchased by licut. *Levy* of the navy of the United States, and that he intends to commence immediately such improvements and repairs, as will fully restore the buildings, &c. to their original condition: after which it will be accessible to visitors once a week.

There is yet much excitement in *South Carolina* on account of the test-oath required of militia officers, and some talk of resisting it by violence! Many meetings on this subject, especially in the mountain parts of the state, have been held, at which the oath, and those who made it, or take it, were severely denounced.

There is a considerable emigration from North Carolina, and a great one from South Carolina, to Alabama and Mississippi.

The following is an extract from a letter to the editor, from a gentleman of Mississippi—just as it is written and marked—except the name:

"I am requested by Mr. G. to say to you that the remittance by him would have taken place sooner but for the glorious uncertainty of Uncle Sam's news satchel in these strange times; he had doubts whether there was any communication, direct or indirect, from here to Baltimore until recently, when one of your papers came to hand, and brought the glorious news of a clear passage."

**MAINE.** The municipal election took place in the city of Portland last week, and was a fair and ardent trial of the strength of parties. Last year the Jackson party elected their candidate for mayor by a majority of about 200 votes, now Levi Cutter, esq. anti-Jackson, has been elected by a majority of 416, obtaining a majority in six wards out of seven—and all the aldermen and other officers are elected in every ward except No. 7.

**CONNECTICUT.** The returns of the late election are not yet complete. Mr. *Foot* is chosen governor, having a majority of the whole number of votes; and his votes, added to those given to the anti-masonic candidate, place Mr. *Edwards*, the Jackson candidate, between 5 and 6,000 behind. Seventeen senatorial districts have returned "whig" members, and the other four districts "Jackson" members. The assembly will stand about three to one anti-Jackson.

There has been a great rally and revolution in this state, by the "experiment." It has warmed the people into action.

**THE RICH MAN AND THE BEOGAR.** A rich man was passing along the road in a splendid coach, when a cur sallied out, snarling and barking, and trying to stop his horses by getting before them. A beggar was sitting by the road side, gnawing a bone, and apparently half famished, while his clothes were falling from him in rags. The cur seeing him thus employed, ran towards him, and fawned at his feet:

"You should teach your dog better manners," said the rich man.

"He is not mine," said the other.

"Why then does he bark at me and fawn on you?"

"Don't you see I've got a bone to throw away?" replied the beggar. [Paulling.]

#### BANKS, CURRENCY AND THE TIMES.

The "experiment" has a "beautiful" effect, as old col. *Laval* used to say was the effect of grape-shot upon cavalry! There is killing and wounding, and floundering and floundering without limit, and without the prospect of an end!

In our last we gave the official notice of the closing of the bank of Washington, which we thought was one of the most carefully managed banks in the District; but now we have to add three similar notices.

*Farmers' and Mechanics' bank of Georgetown, April 12, 1834.*

At a special meeting of the directors, called this day, the following resolutions were unanimously adopted:

The board of directors of this bank have, for the present, decided to discontinue specie payments, and suspend active banking operations.

In coming to this painful decision, the board of directors are actuated by a high sense of duty, alike to the creditors and the stockholders of the bank, to whose respective interests, involved in the proper administration of the institution entrusted to their charge, they owe their best services.

They foresee that the present prostration of confidence, and consequent derangement of the currency, must eventually reduce them to this course; and they prefer to anticipate the event, by yielding at once to the pressure, rather than avert it during the short practicable period of delay, at the expense of sacrifices that may be prejudicial to those interested in the bank.

This measure is expected to be of temporary duration. The board see no necessity, in the condition of the bank, for extending it beyond the present singular crisis in the banking history of the country, and confidently anticipate the resumption of active business, on a specie basis, with abundant resources, so soon as this crisis shall pass away; meanwhile, they assure the public, with entire confidence, that they consider the resources of the bank most ample to redeem all its engagements, and that they will proceed at once to realize its means, and redeem those engagements as promptly as practicable.

All obligations of the bank will continue to be received in payment of debts; the transfer and subdivision of those obligations for that purpose will be allowed without restriction.

By unanimous order of the board. J. I. STOLL, cashier.

*Bank of Alexandria, April 12th, 1834.*

It is deeply regretted by the board of directors of this institution, that it has been compelled to yield to the necessity of suspending, for the present, the redemption of its notes, now in circulation, with specie funds. Inasmuch as the amount of notes in circulation is very small, it is hoped they will be speedily redeemed; and they will be received in payment of all debts due to the bank. By order of the board.

J. L. MCKENNA, cashier.

*Patriotic bank, 14th April, 1834.*

At a special meeting of the president and directors of the Patriotic bank, held this day, for the purpose of taking into consideration the alarming state of the commercial affairs of this District, it was unanimously

Resolved, That in the opinion of the board the interests of the bank, and its creditors, requires that the payment of specie for its obligations ought to be, for the present, suspended.

Resolved, That, in the opinion of the board, the report made by the committee of investigation, in January last, showing that the bank had not only the ability to pay its obligations, but to pay the stockholders upwards of 110 per cent. was a true and correct statement of the affairs of the bank, and that nothing has occurred, thus far, to render the securities of the bank less safe than at that period.

Resolved, That the creditors of the bank be requested not to sacrifice their claims, as the board feel authorised to assure them that they will all be paid.

In making known this determination, the board need hardly say that nothing but the extraordinary juncture of affairs could have brought them to the painful necessity of this announcement. They earnestly invite all persons interested to call and satisfy themselves of the condition of the bank, and the exertions made by the board to sustain the institution, and that, so far as discretion and prudence would authorise, they have personally gone.

NATHAN SMITH,  
JOHN COYLE,  
THOMAS BLODEN,  
J. W. HAND,  
THOMAS HUGHES.

W. A. BRADLEY, president.  
EDWARD INGLEY,  
PHINEAS BRADLEY,  
MR. ST. CLAIR CLARKE,  
PISHEY THOMPSON.

Attest: G. E. DYSON, cashier.

One or two other banks of the District have been "hard run," but have, so far, held up. On Monday and Tuesday last the notes of all the banks at Washington were refused in Baltimore, except of the office of the bank of the United States—and sales of those that had not broken were made at 5 per cent. discount.

The Farmers and Mechanics' bank of Georgetown possessed a large share of the public confidence. We had often heard reports and whispers prejudicial to the credit of the bank of Alexandria, though it was the one in which the public revenue collected at that port has long been deposited. It is not stated how much of our money (if we may dare to call it so!) remained in this bank at the moment of its blow up. The Patriotic bank

appears to have had some large dealings with the general post office department, and its issues must have been heavy, compared with its means, judging by the facts made apparent in our own little business—a seemingly undue proportion of its notes being sent to us. This caused us to suspect them, and promptly to part with them.

Experiments in forcing a circulation, as well as the "experiment" of "the government" in a sudden restriction of the circulation, and prostration of confidence through ill advised acts, have the same end in bankruptcy.

It is reported that several of the "PERISH CREDIT" members of congress, who had on hand bills of the District banks, were among the fastest runners for specie, and that others hastily put off such bills in exchange for those "monsters," signed by the "money-king," or some of his ministering spirits.

The failure of the bank of Maryland is a bad one. The bills and notes and certificates of deposits issued by it, are selling at about fifty cents in the dollar. Indeed it is just now said that only 40 cents, in cash, can be obtained for them! This is very "comfortable" to those who owe money to that bank—but not very agreeable to others to whom it is indebted. But some of the debtors of the bank will make little fortunes out of its bankruptcy, and in the desolation of the hearts of many widows and orphans, ruined. The gentlemen, however, who have the affairs of this bank now in charge, will save all that can be saved, and faithfully keep it for the benefit of the concerned.

A weekly list of the applications made for the benefit of the insolvent laws of Maryland is published in the Baltimore papers. The last contains 13 names. We have a personal knowledge of only three persons on this list—and two of them are on the memorial which was presented to congress from this city against a restoration of the deposits, &c.

We fear that the question, *what is money?* is about to become a very common one.

It has been made a matter of great complaint against the bank of the United States that a part of its stock is held in Europe—but the same men rejoice that a loan for the establishment of a huge bank at New Orleans has been borrowed in Europe! It is hoped, also, that the New York stock, about to be issued, may be sold in Europe, and its product in money loaned to the banks.\* And yet the Farmers' and Mechanics' bank of Albany has taken the Chenango canal loan of 900,000 dollars, at 6½ per cent. premium, for a 5 per cent. stock! Here is an operation that we do not understand. This bank takes a loan at a rate of interest less than 5 per cent. but cannot lend money to its customers, in sufficient quantities, at seven per cent. interest; while the state is lending its credit to the banks that they may relieve the wants of the people!

Specie continues to pour in, and yet money every day becomes more scarce! Will the wise ones tell us how this happens? Money is very plentiful in England.

We hear of the stoppage of several additional factories since our last.

Three snug two story houses, 14 feet front, and on a lot running back 80 feet, situate on Orleans street, Baltimore, in fee simple, were sold on the 10th instant for \$2,600 in notes of the bank of Maryland, on that day worth 65 cents to the dollar. These houses are well

\*An act has passed the "democratic" legislature of Pennsylvania, authorising the governor to appoint an agent to go to Europe to borrow money, on the credit of the state.

What a grand farce has been performed. "Down with the bank"—it has foreign stockholders! "All who do business on a borrowed capital ought to break!" "Perish credit!"—"perish the state institutions!"—"perish the states!"

It appears probable that if confidence can be obtained in Europe, the Rothschilds and other bankers may have considerable claims on the fee of the "sovereign" states of New York and Pennsylvania, not directly, but not the less certainly, on that account; and if the present patriotic maxim is just, that all who borrow money of the bank of the United States, are bought up by the bank and are slaves of the bank, can it be said that the states named are independent?

finished, having two rooms with folding doors, and only about one year old.

## ITEMS.

The orphan's fair held a short time since in Baltimore, produced, within a fraction, the large sum of two thousand dollars, and yet many beautiful articles remained on hand.

The rail road of Charleston, it is said, is in a flourishing condition. The receipts averaging six or seven hundred dollars per day more than the expenditures, and a handsome dividend is expected to be declared in July next.

The sect of mad enthusiasts, called the St. Simonians, who lately made a considerable noise in France, have become extinct, as a society.

Mr. Tazewell has been installed governor of Virginia.

During the year 1832, there were born in the city of Paris, seven thousand and eighty illegitimate children. These are called "crying evils."

The frigate United States, after waiting four weeks at the Dardanelles for a leading wind (to overcome the current), and having obtained one, reached Constantinople in 24 hours.

Four ruffians suddenly rushed into a house in New York, a few days ago, and forced themselves into a back room, where they gouged out the eyes of a man named Israel Lewis, and then made an escape. No motive is assigned for this diabolical act.

Several negroes have been sent to the penitentiary for a late attempt made by them, at Philadelphia, to rescue the person of a slave from the possession of the peace officers who had him in charge, after a hearing before the judge, for delivery to his master.

The population of the city of Detroit is 4,973—white persons 4,448, colored 138, strangers 387. The children attending the various schools amount to 448.

The state of Illinois has a fund of \$2,000,000 which is to be exclusively applied to the purposes of public education. This sum is now bearing interest; and the difficulty now is in the adoption of a system best calculated to diffuse useful knowledge among every class of the community.

A lady of the most respectable connexions, and of great wealth, who has for a long period been in the habit of pilfering goods from stores, (payment for which has always been made by her family on presentation of bills), has been arrested in Philadelphia for stealing a pair of silver pitchers from the side-board in the parlor of one of her friends! Her propensity for stealing is attributed to monomania.

In Michigan, resolutions have been adopted at a public meeting, asking congress to create a territorial government under the title of Wisconsin, and recommending general Dodge for the appointment of governor.

A letter, published in the Journal of Commerce, from an emigrant from the United States, now residing in Texas, describes the country as a paradise, and urges his friends to come and enjoy the fat of the land. He writes, "Be sure to bring out all the books you have, or can get hold of. Bring out all the vegetables, garden and fruit seeds you can—also, one wife for me, handsome, &c. Mother knows what will suit me?"

The following is an abstract of the population returns for Ireland, for the year 1833, lately made to the British parliament: English statute acres, 17,183,763; houses inhabited, 1,249,816; buildings, 15,308; uninhabited, 40,654; total families, 1,385,066; families chiefly employed in agriculture, 884,339; chiefly employed in trade, manufactures and handicraft, 249,359; families not comprised in these two classes, 251,368; males 3,794,860; females 3,972,521; total number of persons 7,767,401.

It is stated that sugar of the 1st quality, 4 hds. to the hand, were made last year in Florida.

The difficulties between Alabama and the general government are finally closed. A letter from the secretary of war to the governor of Alabama, dated the 12th of March, gives him official notice that the additional troops ordered into Alabama have been withdrawn, and that only the ordinary garrison at Fort Mitchell will remain in the Creek country. The letter also expresses the pleasure of the president at a recent act of the legislature of Alabama, and states that he will be much gratified, if the enforcement of the stipulations of the Creek treaty shall render it unnecessary for him to resort to the provisions of the act of 1807, which he has not the slightest wish to do, unless required by the obligations assumed by the United States in that treaty.

An enterprise is on foot (says a New York paper), to visit the recently discovered island or continent of Palmer's Land, in the remote southern seas, for the purpose of hunting seals and collecting furs. The Ophir, commanded by an experienced seaman, capt. A. P. Brittingham, and now lying in this port, will proceed on this voyage as soon as the requisite arrangements can be made.

The grand lodge of Rhode Island, at a late meeting in Providence, resolved to surrender their charter to the general assembly of that state, at its session in May next, and recommended to the subordinate lodges throughout the state, that they should also deliver up their several acts of incorporation.

We learn that Charles R. Leslie, esq. not long since appointed instructor of drawing at West Point, has resigned the situation, and embarked for England.

The Erie Observer states that there are, this season, more than thirty steamboats plying on lake Erie, besides a number of others connected with them, running on Detroit river and lake

Michigan. There are also about one hundred and fifty schooners.

The trip between Baltimore and Philadelphia was made by the rail road line in 7½, 20m. a day or two ago. We believe this is the shortest passage ever made.

The Chesapeake and Ohio canal is in full operation from Harper's Ferry to the District of Columbia.

A heavy shower of ærolites fell lately in the city of Kandahar; owing to the weight of the shower the roofs of many houses fell in, and others were perforated. Zelfikar Aly Khan, the son of Ohimala, having (although forbidden by his parents) gone to the court yard of their house to gather some of these pebbles, which were very round and smooth, was killed by the fall of one of these fiery meteors, which struck him with such violence on the head as to fracture his skull into three pieces. The flash which accompanied the stroke was so vivid, that it dazzled the eyes of those sitting in the balcony of the house. The stone was found to weigh three seers, and many of the stones weighed upwards of two seers. This phenomenon was succeeded by so dense a fog, that the rays of the sun could not be perceived for three days that it lasted.

The amount of the funded debt of Great Britain and Ireland is £754,100,549; of the unfunded debt, £27,278,000; total £781,278,449.

High words, it is said, have arisen between the duke of Orleans and king Leopold, upon the subject of the conduct of the latter towards his sister, whose air of settled melancholy had attracted the attention of the duke. His Belgic majesty is reported to have given a very short answer to the remonstrance of his wife's brother.

Several steam boats have been snagged and sunk in the western waters. It will be many years before this great danger can be removed—but it will become less and less as the countries bordering on the rivers are cleared.

Six gold mining companies have recently been incorporated by the legislature of Virginia.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

April 11. The vice president presented the following communication from the secretary of the treasury; which was ordered to be printed:

Treasury department, April 11th, 1834.

SIR: In obedience to the resolution of the senate, of the 8th inst. directing the secretary of the treasury "to communicate to the senate the name of any agent, or agents, employed by him to transact the business of the treasury with the banks selected for the deposit of the public fund; the nature of the duties performed by said agent or agents; the amount of the compensation paid for the discharge of the said duties, and by whom, and from what fund the said compensation is paid; and in pursuance of what law the said agent or agents have been appointed," I have the honor to state, that for many years past, it has been the duty of one of the clerks of this department to attend to the business of the treasury with banks. The clerkship to which that duty is assigned, has been filled for upwards of four years by Samuel M. McKean. He is appointed under the act of congress of 20th April, 1818, and the salary to which he is entitled under that act, is \$1,000 a year; and since the deposits have been removed, as well as before, he has continued to attend to the business of the department with banks, without any additional compensation for such services.

If this clerk in the department is not to be considered as embraced in the call made by the senate, no agent has been employed by me to transact the business of the treasury with the banks selected for the deposit of the public funds.

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. TANEY, *sec'y of the treasury.*

Hon. Martin Van Buren, *vice prest. U. S. and prest. of senate.* Mr. McKean presented the proceedings of a meeting, and the memorial adopted thereat, held by citizens of Blockley, in Philadelphia county, Pa. sustaining the executive, &c. in the removal of the deposits. Read, referred, &c.

Memorials praying the restoration of the deposits, &c. were presented by Mr. Prentiss, from 1,619 citizens of Rutland county, Vt. and by Mr. Ewing, from 2,000 inhabitants of Franklin county, and 4,310 inhabitants of the city of Cincinnati, Ohio.—Read, referred, &c.

Mr. Clay submitted the following:

Ordered, That the secretary of the senate be directed to cause to be ascertained and reported to the senate, the aggregate numbers of all who have, or shall have on the day of his report, presented petitions, memorials, or other proceedings to the senate, for or against the executive measure of the removal of the deposits, distinguishing the number appertaining to each petition, memorial or other proceeding. Modified as follows, at Mr. Poindexter's suggestion: "And specifying the city, town, county and state from which the memorial or petition was received."

Mr. Clay was desirous that the service should be performed, because it was of importance to have collected in one view, the number of our fellow citizens, pro and con who have come here soliciting relief.

Mr. Wright, thought the duty a delicate one. He would name one circumstance. A short time since, a memorial was presented by an honorable senator, coming from the city of Albany, and he (Mr. Wright), also presented another from the same city. They came in from the printer the day before yester-

day, and the one which was said to have been signed by 2,800\* citizens of Albany, was found to contain the names of but 1,316; and the memorial he presented said to contain 1,700 names, had only 1,666. He thought it best to lay the subject on the table.

Mr. Clay was aware that entire precision was not attainable. The gentleman alluded to the mistake in the memorial from Albany. But was it not possible that it might turn out that a portion of one memorial had been detached from it and added to his. Something like it had occurred in Philadelphia, &c.

Mr. Wright took leave to say that the gentleman from Kentucky did him injustice in the imputation that he had any agency in cutting off any part of the memorial alluded to.

Mr. Clay disclaimed any allusion to the honorable gentleman—he only intimated that such a thing might be done.

After some further remarks by Messrs. Wright, King, of Ala. and Clay, the order was adopted.

The senate took up, on motion of Mr. Poindexter, the resolution offered a few days since, for the printing of 1,000 copies of the journal of the old congress.

Upon this resolution a debate ensued, in which Messrs. Southard, King, of Georgia, Poindexter, Ewing, Bibb and Shepley took part. Without taking the question, at 4 o'clock, on motion of Mr. Morris, the senate adjourned until Monday.

April 14. Mr. Clay presented two memorials, numerously signed; one from Troy, and the other from Schenectady, New York, praying for the restoration of the deposits.† Read, referred, &c.

Mr. Silsbee, presented the proceedings of a meeting held at Salem, Massachusetts, approving of the removal of the deposits. Read, referred, &c.

Mr. Clayton reported a bill to compromise and finally settle the claims of the United States on the Alleghany bank of Pennsylvania. Read and ordered to a second reading.

Mr. Ewing submitted the following resolution:

Resolved, That the secretary of the treasury be directed to report to the senate, whether any of the banks which have recently failed, in the District of Columbia, had in deposit, or otherwise in their possession, any of the public money, and, if any, how much, at the time of their failure.

Several bills for the relief of private individuals, or of a local character, were taken up and disposed of.

The senate then took up the bill authorising the relinquishment of the 16th sections of public lands, granted for the use of schools, and the location of other lands in lieu thereof, which after debate, was, on motion of Mr. Clay, laid on the table.

The bill for the completion of a road from Memphis, Tennessee, to Little Rock, in the territory of Arkansas, was read a second time and ordered to a third reading.

The senate adjourned.

April 15. A message was received from the house of representatives notifying the senate of the death of the honorable Littleton Purnell Dennis, late a member of that house, from the state of Maryland, and that his funeral would take place from the hall of the house of representatives to-morrow at 12 o'clock.

The message having been read,

Mr. Kent, of Maryland, rose and pronounced a neat, appropriate and impressive eulogium upon the virtues of Mr. Dennis, and concluded by moving the customary resolution, to attend his funeral and wear mourning as a testimony of respect to his memory; which was unanimously adopted; whereupon, on motion of Mr. Kent the senate adjourned.

[On the 16th the senate attended the funeral of Mr. Dennis, and on the 17th the senate was engaged in a discussion concerning a paper transmitted by the president—see page 121.]

## HOUSE OF REPRESENTATIVES.

Friday, April 11. The house resumed the consideration of the resolution offered by Mr. Marais, in relation to the deposits; and Mr. Corwin continued his remarks.

Mr. Polk moved the suspension of the rules in order to move that the house resume the consideration of the general appropriation bill.

Mr. Ward supported Mr. Polk's motion, and contended that public business should be first attended to; and called for the yeas and nays.

Mr. Whittlesey, of Ohio, spoke of the urgent importance of the private business.

Mr. Polk urged the necessity of going on with the appropriation bill. The question was finally negatived by the following vote, yeas 92, nays 93.

## \*TO THE PUBLIC.

Having observed in the Washington Globe, and in the speech of Mr. Wright, in the senate, a denial that the Albany memorial contained the number of names which the committee authorized Mr. Webster to state were attached to it, when it was presented to the senate, we have felt it our duty to inquire into the subject, and we have now to state, that, by accident, one roll or list of names was omitted when the others were communicated to Mr. Webster; that this roll is now placed in Mr. Webster's hands, to be presented and added to the rest; and that the names on this roll make up the whole number, as declared when the memorial was presented; that is to say, twenty eight hundred, or thereabouts.

JACOB TEN ETYCK, } members of the  
RUFUS H. KING, } committee.

April 16, 1834.

†See his remarks on this occasion, page 125.

The house then went into committee of the whole, on the bill to provide for the payment of property lost and destroyed while in the military service during the late war with Great Britain, and after making some progress therein, the committee rose, reported progress, &c. and then the house adjourned.

**Saturday, April 12.** The resolution of Mr. *Morris* on the subject of the deposits was resumed, and Mr. *Corwin* concluded his remarks; and at the close of them, offered a resolution by way of amendment, declaring the reasons given by Mr. *Taney*, for the removal of the deposits, to be insufficient and unsatisfactory.

Mr. *Clay*, of Alabama, after a remark or two, moved to lay the resolution and the amendment on the table.

On this motion, Mr. *Vinton* demanded the yeas and nays; which was ordered.

Mr. *McKean* stated that he thought he had the floor as soon, if not sooner, than the gentleman from Alabama, who had already had an opportunity of expressing his views on the subject, whilst other gentlemen were cut off by the power of the majority in the house. He, therefore, appealed to the courtesy of the gentleman, and asked him to withdraw his motion to afford the same privilege to others which he had enjoyed himself.

Mr. *Clay* declining to withdraw his motion—

Mr. *Carr* moved a call of the house.

On this motion, Mr. *Williams* demanded the yeas and nays, and being ordered, stood as follows: yeas 152, nays 11.

The call of the house being ordered, proceeded for some time, when the hour having expired, was, on motion of Mr. *Whittlesey*, arrested, and the whole subject lies over until Tuesday, Monday being petition day.

The house then, as in committee of the whole, took up the bill providing compensation for property lost, captured or destroyed by the enemy during the late war, which after being gone through with and amended, was agreed to in committee, and reported to the house, when the house adjourned.

**Monday, April 13.** Memorials, proceedings of meetings, resolutions, &c. favorable to the restoration of the deposits, &c. were presented as follows: by Mr. *Bean*, from citizens of the town of Dover, New Hampshire; by Mr. *Bates*, from 700 inhabitants of Springfield, Massachusetts; by Mr. *Burges* from 3,463 citizens of the county of Providence, Rhode Island; by Mr. *Slade*, from 160 (additional) citizens of Rutland county, Vermont; by Mr. *Beardsley* from 111 inhabitants of Pittsford, Monroe county, New York; by Mr. *Lee*, from inhabitants of Salem county, New Jersey; by Mr. *Beuderson*, from citizens of Lewis town, Pennsylvania; by Mr. *Stewart*, three memorials, which with one presented a few days since, were signed by 933 citizens of Fayette county, Pennsylvania; by Mr. *Binney*, from 457 farmers, mechanics and traders of Union county, Pennsylvania; which were, severally, read referred, &c.

Mr. *Evans* presented a memorial of a large number of citizens of Gardiner and Princeton, in the state of Maine, praying for a speedy remedy from the present pressure. Mr. *E.* concluded by moving to commit the memorial to the committee of ways and means, with instructions to report two resolutions—one declaring that the reasons of the secretary of the treasury for the removal of the public money from the United States bank are insufficient and unsatisfactory—and the other declaring that a bank, created by the authority of congress, is necessary, expedient, and ought to be established.

The speaker suggested that the instructions first proposed were not in order, inasmuch as a resolution similar in character was already before the house.

Mr. *Evans* said, that he would then move the commitment, with instructions to report the second resolution. The subject was postponed to Monday next.

Mr. *Graham* presented resolutions adopted by the citizens of Morgantown, Burke county, North Carolina, alluding, in harsh terms, to the language applied by Messrs. *Brown* and *Forsyth*, to a memorial some time since forwarded by them, and laid before the senate, in which they attribute Mr. *Forsyth's* departure from the ordinary courtesy of debate to the influence of some peculiar excitement, but whether from the pot house or the palace, they do not think it important to inquire. He moved that the resolutions lie on the table.

Mr. *McKim*, of Maryland, said: I am requested to present the proceedings of a meeting held in the fifth congressional district of Maryland, as, also, instructions to me, signed by 3,715 voters of said district. As I admit, Mr. *Speaker*, the right of instruction by the majority, when that majority can be well ascertained, the only inquiry which I deemed it necessary to make, was when I received these instructions, was, whether they were sanctioned by the signatures of a majority of the legal and qualified voters of the district? And this could only be done by an accurate investigation of the poll books. For that purpose, I proceeded immediately to Baltimore, as I did not feel at liberty to vote on any question affecting the instructions, while such documents remained uninvestigated by me. That investigation has been made, at my instance, and, in part, under my particular inspection. The result, is, that of the 3,715 signatures on the proceedings and instructions, there are 1,892 of the names of the signers to the same which are not to be found on the poll books, at the election held in October last, at which election, sheriffs were elected for all the counties in the state of Maryland. A difference of this remarkable character leaves me at liberty to make no other conclusion, consistent with what I believe to be the accuracy of the examination had in this affair, than that I am not instructed by a majority of the legal and

qualified voters of the district, otherwise than by my election, I consider it my duty further to state, that, if I had not received the instructions prior to the vote being taken on the resolutions reported by the committee of ways and means, respecting the bank of the United States and the deposits, I should have voted with the majority on all the resolutions. I forbear all further remark, and ask that the proceedings and instructions be read, laid on the table, and printed.

The motion was agreed to.

Memorials, proceedings of meetings, &c. against the restoration of the deposits were presented as follows: by Mr. *Osgood*, from a meeting of citizens of Salem, Massachusetts; by Mr. *Pearce*, from 1,660 citizens of Providence, Rhode Island; by the speaker, from Stratford, Connecticut; by Mr. *Lansing*, from a town in the vicinity of Albany, New York; by Mr. *Scheneck*, from a meeting held in Somerset county, New Jersey; by Mr. *Stewart*, seven memorials, signed by 675 citizens of Fayette county, Pennsylvania, also proceedings of a meeting in said county; by Mr. *Anthony*, from 324 citizens of Northumberland county, Pennsylvania; also from a meeting at Muncey in Lycoming county, Pennsylvania.

Various other memorials, generally of a private character, were presented, referred, &c.

Mr. *Geaulte* presented a memorial from the citizens of Savannah, Georgia, strongly opposed to the conduct of the administration in the removal of the deposits, &c. Mr. *G.* then asked leave of the house; to make a few remarks but there being no quorum, the house adjourned.

**Tuesday, April 15.** The journal of yesterday's proceedings having been read,

Mr. *Stoddert*, of Maryland, rose and addressed the house as follows:

Mr. *Speaker*: In announcing the death of *Littleton Purnell Dennis*, a representative on this floor from the state of Maryland, I discharge a sad and solemn duty. Not a week has elapsed since he mingled in the deliberations, and co-operated in the active duties of this house; he now sleeps the sleep of death. What an impressive illustration of the instability of human life—"of what shadows we are, and what shadows we pursue." The deceased stood to me, sir, in the double relation of colleague and friend. I knew him long and well. He was a noble, benevolent and estimable man, and has finished his course in honor. He was no tame and ordinary character; and although his modesty may have delayed the development of his faculties for public service, during his brief connection with this house, his state is not left without proofs of his legislative prudence and skill. He served her in both branches of her legislature for many years with honor and ability. He was well gifted by nature, well educated and well principled. His native sagacity, sound judgment and decision, and purity of purpose, made him what he was, a capable and honest public agent. The brave, generous, open and manly qualities of his nature secured him the confidence and affections of the people among whom he lived, and made it their delight to honor him.

He is gone hence, sir, but his memory will survive, embalmed in the kindly regards of those who knew and appreciated his noble and manly qualities, and unembittered and un tarnished by a single act of meanness, injustice and oppression. He died as he lived, deserving and possessing the warm-hearted esteem of many, the ill will of none. As the last act of respectful duty which it remains for friendship to perform, I move you, sir, the following resolutions:

*Resolved*, That the members of this house will attend the funeral of the late *Littleton Purnell Dennis*, at 12 o'clock, to-morrow.

*Resolved*, That a committee be appointed to take order for superintending the funeral of *Littleton Purnell Dennis*, deceased, late a member of this house from the state of Maryland.

*Resolved*, That the members of this house will testify their respect to the memory of *Little Purnell Dennis*, by wearing crape on the left arm for thirty days.

*Ordered*, That a message be sent to the senate to notify that body of the death of *Littleton P. Dennis*, late one of the representatives from the state of Maryland, and that his funeral will take place to-morrow, at twelve o'clock, from the hall of the house of representatives.

The above resolutions and order were unanimously adopted; and then the house adjourned.

**Wednesday, April 16.** The house this day attended the interment of the remains of the late Mr. *Dennis*.

**Thursday, April 17.** Mr. *Jarris* asked leave to offer a resolution for the appointment of a committee to investigate the affairs of the banks in this District which have suspended specie payments, with a view to ascertain the cause of their having done so.

Objection was made by Mr. *Whittlesey* and Mr. *Williams*, the latter of whom said he had no objection to the inquiry, but would not consent to receive resolutions of any kind at this period of the proceedings of the house.

Mr. *Jarris* moved to suspend the rules, to allow him to offer the resolution; but the motion was negatived.

Mr. *Chilton* called up the consideration of the resolution, moved by him a day or two since, calling upon the president to submit to congress the project of a national bank, and demanded the yeas and nays upon the motion to suspend the rule to allow of its consideration. They were taken, and stood as follows: yeas 50; nays 112. So the house refused to consider.

After some other business which will sufficiently appear in its progress—



The house, in committee of the whole, took up the general appropriation bill, and, after a long and animated debate, considered and negatived three more items of Mr. Vance's proposed "reforms," and then adjourned.

#### THE PRESIDENT AND THE SENATE.

From the *National Intelligencer* of yesterday—April 18.

A new chapter is opened in the political history of our country.

A message was yesterday received in the senate from the president of the United States, purporting to be a protest, on the part of that high functionary, against the resolutions expressive of the opinion of the senate touching the constitutionality and expediency of the removal of the public deposits, in the manner in which it was effected, from the bank of the U. States.

The message is of great length, the reading thereof by the secretary of the senate having occupied more than an hour. Having had no opportunity of access to the document, we are only able to give our readers such an idea of it as an imperfect hearing of it will enable us.

The message begins by reciting the resolutions passed by the senate; and, considering it the duty of the president to protect his privileges from encroachment by every means in his power, declares the proceedings of the senate to be unprecedented and extraordinary, and enters his solemn protest against them.

Except as otherwise specially provided in the constitution, the message declares the rights of the executive and of the legislature to be co-equal. In this view the president is of opinion that the proceedings of the senate, in the case referred to, are wholly unauthorised by the constitution. No such power as the senate has assumed is, he says, to be found, in any part of the constitution, granted to either branch of the legislature. To prove this he enters into "a brief analysis" of the powers conferred upon the senate by the constitution. Any proposition acted upon by the senate, to be within the sphere of its powers, he argues, must tend to legislative action, or, in its conclusion, must take the form of some executive or legislative act. The resolutions in question, he says, were not a legislative act; nor did they apply to any treaty or nomination before the senate in its executive capacity. Nor did they relate to any of the cases in which the senate might lawfully act, (in reference to its own organization, &c.) without the consent of the other house.

They have, therefore, in his opinion, no warrant in the constitution. They amount to an impeachment, if the senate had the power: but the house only has power to impeach, and the senate only power to try impeachments when preferred by that body. The resolutions, the president says, embrace charges of usurpation and violation of the constitution, impeachable offences, and declare the president to be guilty of them; thus attempting to exercise all the moral power of impeachment, without observing, in any part of the proceedings the provisions or requirements of the constitution in regard to impeachments. The resolutions, he further argues, prejudice a case in which the senate might have been called upon to act judicially, had the house of representatives preferred an impeachment against the president, &c.

The whole proceeding, the president declares, in very plain terms, to have been an assumption, by the senate, of powers not conferred upon it by the constitution, and utterly incompatible with that instrument, and with the plainest dictates of equity and justice.

The president then goes on to object to the *vagueness* of the resolution censuring the conduct of the executive. Though comprehensive enough, he says it contains no certainty of time, place or circumstance, which induced any one senator to vote for it. Although the resolution, as originally modified, specified certain particular acts alleged to be contrary to the constitution and the laws, yet at the close of the debate it was so modified as to particularize nothing; a proceeding which the general very pointedly condemns: for, he adds, if the resolution had been put to the vote in its original form, it is presumed it would have received the sanction of but few votes, since the acts specified in it were clearly not contrary to the constitution, &c.

The message then enters into an elaborate exposition of the views which the president entertains of the extent of his own powers, reviewing the provisions of the constitution respecting the power of appointing officers of government, and the construction which they have received in practice. There is no such thing as officers under the control of congress, it is argued, but those which spring from the power conferred upon each house by the constitution to choose its own officers. All the other officers, except judges and the officers of courts, are appointed by the president, with or without the consent of the senate, and subject to his will and pleasure, through the power of removal, he being responsible for their good conduct, and for the due execution of the laws. The treasury department, like others, is wholly executive in its character, and likewise in its responsibility. The custody of the public money is one of the functions of that department. For the discharge of that function it is responsible, not to congress, but to the president. The law establishing the bank of the United States did not, the message argues, change the relations of the president and the secretary of the treasury to the public money: it did not release the former from the duty of directing where the public money should be kept, nor the latter from the executive supervision in relation to the discharge of his duties: it merely superadded a requisition, that, when the secretary should think fit to remove

it from the bank of the United States, the reasons for so doing should be laid before congress. So glaring had been the abuses of the bank, so determined it appeared to be to interfere in elections, and to corrupt the press, &c. the message says, that the president had felt it to be his duty to interpose, to check the bank in his career, lessen its power to do mischief, &c. and, in doing so, remove the disobedient secretary who refused to act in the case. In such a case as this the senate has no right, upon the general argument of the message, to interfere. If the senate had a right to interfere in such a case, says the president, it had a right to make its interference effectual. In such a case some *future* senate might, in order to make such interference effective, omit to perform their own constitutional functions; refuse to pass the necessary appropriation laws, or to confirm proper nominations by the president—thus shadowing out the consequences which might result from such an usurping disposition on the part of the senate, &c. &c.

The message then adverts to circumstances connected with the discussion and passage of the resolution censuring the president, who, it is argued, is the direct representative of the people, whilst the senate only intermediately represents them. The instructions from the legislatures of the states of Maine, New Jersey and Ohio, expressing their attachment to the president, and their hostility to the bank of the United States, and instructing their senators to vote accordingly, are all embodied at length in the message. From these states, the message says, four senators out of the twenty six voted in favor of the censure of the president: had they voted as instructed, 22 only, out of 48, would have sanctioned the accusation against the president, &c.

The message then goes on to depict the awful consequences which might follow from a submission to such usurpations, by the senate, of the rights of the executive; such as aristocracy, anarchy, or dismemberment of the government, &c.

The president also vindicates his private reputation from implications which he conceives to be contained in the vote of censure, &c.

The whole message concludes, for the reasons briefly hinted at above, and other reasons which are not enumerated, (in the course of which the length of term of service and irresponsibility of senators are more than once alluded to), with a solemn protest, which, with the message, the president requests may be entered at large upon the journal of the senate.

The above is a hasty and faint outline, but substantially a correct one of this important executive missive to the senate; which, the reader may very well conceive, produced not a little sensation within the precincts of the capital.

The moment the senate was called to order yesterday, the private secretary of the president of the United States presented a message to the senate, protesting against the resolutions of the senate, touching the removal of the public deposits. The message seemed to have been expected, at least during the morning; for there was gathered an unusually early audience of both sexes. The senate, however, was not full. Mr. Webster, Mr. Chambers and Mr. Bell, were still absent; Mr. Forsyth, Mr. Preston and Mr. Porter, were casually absent—and Mr. Clay had yesterday accompanied his lady, who is in ill health, on her way to a watering place in Virginia, where she is to stay some weeks. As soon as the last word of the message, as its reading was concluded, fell from the lips of the secretary of the senate, Mr. Poindexter addressed the chair. In indignant terms he denounced the message, which he declared could not be considered an executive message, as not pertaining to any of the public occasions on which the president of the United States is authorised by the constitution to address himself to the senate. He considered it an unofficial paper merely, signed by ANDREW JACKSON. In any view, considering it a document not respectful to the senate, he moved that it be not received. On this motion a debate ensued, which continued until 5 o'clock, in which the motion was supported by Mr. Poindexter, Mr. Sprague, Mr. Frelinghuysen and Mr. Southard, and opposed by Mr. Benton and Mr. King, of Alabama. But before taking any question, on motion of Mr. Leigh, the senate adjourned. And so the matter rests.

#### MISCELLANEOUS.

Mr. John Q. Adams recently said in the house of representatives—

"From the present and approaching pressure upon the nation, it is clear, that no relief is to be expected from any thing that this house will do; and in this hour of difficulty and danger, it is my consolation that nothing that this house can do will have any other effect than merely to refuse or withhold relief. It appears to be the opinion of some, that a decision of this house, whatever it might be, would quiet the agitation of the public mind. That, I believe, is a fallacy. I have seen in the public prints a statement by some of those who have placed some reliance upon appeals to the executive magistrate, that such reliance is in vain. That they must not go to him for relief. However that may be, I tell them, and I believe it is best for them to know the truth, I tell them it is vain for them to come to this house for relief—no such relief will be granted. It is upon themselves that the people must depend for relief—upon themselves alone, and not upon this house, or upon the executive."

Mr. Allan, of Kentucky, when speaking on the resolution offered by Mr. Mardis, said—

"The president having proposed to use the state banks, a question was involved, whether the power of the house, over the public money, was to be surrendered? It then became necessary, before the power was surrendered, to inquire into their condition, that it might be ascertained whether they were capable of performing all that was required of them, and so supply the country with a sound currency. He proceeded to do so, and referring to their number, being 450 throughout the U. States, having a paper circulation of 100 millions of dollars, based on a supply of only 12 millions of specie in their vaults, he inferred that they would not have it in their power to maintain, as the bank of the United States had done, a sound and general circulation throughout the union; and he desired to have the name of any one statesman who could be said to have advocated the state bank, in preference to the United States bank, for such purposes? Such was not to be given. On the contrary, Mr. Jefferson, he proved, by referring to the fourth volume of his correspondence with Mr. Eppes, denounced such institutions, and their paper, as trash; and Mr. Madison acknowledged that, at the formation of the constitution, the mischief of a state bank currency was not foreseen.

But they were to have a metallic currency, while he would be bound to say, that the very party engaged in crying it up, were actively getting up state banks in many places. He instanced Indiana, and other states, and he then argued to prove that after an experience of forty years, such banks were proved to be inadequate to do that agency which had been beneficially done by the bank of the United States. He reverted to and denied the statement that the question of chartering the United States bank was made a question to the people at the last election.

Mr. Ellsworth, when speaking of the resolutions attached to the report of the committee of ways and means contended—

That the executive had drawn to himself a portion of the legislative power of the government. This was the main view which he should present, and in sustaining that view, he did not think it necessary to call in question the motives of the president. The removal of eight or nine millions of dollars was a matter, in itself, of small consideration. But the president had destroyed the legal fiscal agent of the government, and created twenty other fiscal agents. He had entered upon an experiment to put down the bank of the United States, and substitute for it the state banks—to fill up the vacuum created by the withdrawal of the United States bank paper, with the currency of the state banks. The manner in which this was done was bold and daring—and that there was, he believed, some charm in a bold and daring deed, which silenced the dictates of the judgment and even of conscience. The unnatural war waged upon the bank, appeared to him to spring from love of conquest, victory and spoil.

And he asked—

Would any gentleman tell him where the treasury was? Where, he repeated, is the treasury? Does not the president hold in his hands all the money of the government? Does he not claim authority to move the whole public treasure from one bank to another? What guards, what laws, secure the treasury? The treasury was not kept in any known place, under the safeguard of any known laws. Mr. E. declared that he would not give much for all the deposits in the state banks, should this house adjourn, leaving things as they are.

We could not collect the revenue, nor carry on any commercial operations if the experiment should be attempted. But the states were going to extend the paper system. They show no disposition to return to a hard money currency. They are increasing their paper currency to meet the withdrawal of the U. S. paper and we have no control over their operations. He called upon gentlemen to tell him what great interest of the country had suffered from the currency of the United States bank. Had commerce, agriculture or manufactures suffered from it? On the contrary, those interests had been fostered by the bank. This was a young and enterprising country, and required credit as a substitute for capital. In England it was estimated that one dollar in specie afforded to the community a currency of three dollars. The same facilities were still more requisite for us.

The storm was but now beginning which was to pour destruction upon the business interests of this country. His constituents had extensive connexions with the south and west, but their trade was almost entirely cut off. Nothing was made to send abroad, because the difference of exchange was sufficiently great to swallow up all the profits on business. Many large manufacturing establishments had dismissed half of their hands, and some had stopped entirely. No relief was expected from any source, except the abandonment of the experiment attempted by the government.

The correspondent of the "Portland Advertiser" under date of Washington March 13, said—

The offering of memorials is the point on which the senate has almost all their interesting speeches. This was the occasion which brought out Mr. Preston to-day in a speech of about an hour's length. Many of his metaphors were very beautiful, among all of which I must give you one as a specimen. In al-

luding to Mr. King's remark, that the bank had a lion's strength, he traced out the figure. A lion, it was, he said, but a lion subdued on its lair, shorn of its locks, and folding its limbs to die in peace. As it was breathing its dying breath, and struggling at the last gasp, a huntsman appeared, a huntsman bent upon sport with the noble animal, and determined to try his mettle before he died. He recklessly darts his spear upon him, and the lion arouses in his might, and bounds across the field spreading terror and desolation; and the cry is raised—the horn is sounded, the whole country is alarmed—and I now ask, he exclaimed, after delivering this with the most animated and effective oratory, who is to blame, the noble lion, or the ruthless huntsman?

The following has been published as an extract from a letter from a gentleman of Vermont to a member of congress—

"I am sorry to inform you, that J. S. of T—, has gone by the board. He is one of the few in that place who has traded in both politics and merchandise. Till within a few days of his failure, he persisted in declaring there was no distress! The party obstinacy of such men reminds me of an anecdote of one of Noah's neighbors, which our friend P— tells something after this sort: 'In the time of the flood, one of Noah's neighbors, as the water began to rise, retreated from one hill top to a higher, until he found himself on the highest pinnacle in the vicinity. The water still kept rising, and was actually washing about his middle. While in that predicament, the ark floated along, he called out—'Noah! Noah! for God's sake take us in.' 'No! answer Noah; you had warning of the danger, but took no heed. You must take care of yourself.' 'Well,' says he, 'neighbor Noah, go to thunder with your old ark; I don't think there's going to be much of a storm.'"

#### MESSRS. MACNEVEN AND SAMPSON.

In consequence of the letter of Dr. Macneven, published in the REGISTER of the 5th inst. he was subjected to much severity of remark from one part of the natives of Ireland resident at or collected in New York, which led to a very large meeting of other "adopted citizens," at the Masonic Hall, for the purpose of sustaining the venerable patriot from the "Emerald Isle;" at which meeting Dr. Hugh Sweeney was called to the chair, supported by John B. Lasata, John Quin, Robert Donaldson, P. S. Casserly, Mr. Flinn and Bernard Graham, vice presidents; and Dudley Perse, Thomas W. Clerke, Michael Burke, William Edmonds, Daniel Geary, William S. Redden and John Benson, were chosen secretaries.

Among others, the following resolutions were adopted unanimously, and with acclamation:

*Resolved*, That we have full and unshaken confidence in the wisdom, patriotism and integrity of our fellow citizen, William James Macneven, whose clear and plain arguments his opponents have not even attempted to confute, and which they only answer by personalities.

*Resolved*, That a committee be appointed by the chair to communicate this resolution to Dr. Macneven.

*Resolved*, That we have seen with indignation the personal abuse and political slanders, which have been uttered against William James Macneven, having done what every freeman has a right to do in this land of liberty—to express his opinions fearlessly on a great national question.

*Resolved*, That in coming forward as he has done at this crisis, Dr. Macneven has proved himself to be the same undeviating patriot—the same pure republican—the same defender of constitutional liberty that he was in 1793, when with the lamented Emmet, Tone, Arthur O'Connor and Fitzgerald, bravely, he risked his life in the cause of Irish freedom, and was ready to suffer death sooner than renounce his principles.

*Resolved*, That we view with disgust the attacks made upon Dr. Macneven's opinions on the currency question, by those very men who privately hold the same opinions—who advocate a national bank, and condemn the removal of the deposits outside of Tammany Hall, but who want the moral courage which he has displayed in preferring honesty and sincerity to mere party bondage, and who have not dared in any of their resolutions to assert those very opinions which they entertain.

Several others of like character were presented and unanimously accepted. One of them pledging to support Mr. Verplanck for the office of mayor of the city.

And also the following—

*Resolved*, That as adopted citizens of this republic we regard with unfeigned satisfaction the course pursued by our fellow citizen, Judge Porter, of Louisiana, (the first naturalized Irishman who has attained to the distinguished honor of a seat in the senate of the United States), in his manful and strenuous opposition to executive usurpation, and his firm and vigorous support of the constitution and the supremacy of the laws.

*Resolved*, That a copy of this resolution, signed by the officers of this meeting, be forwarded to Judge Porter as a token of the estimation in which he is held by the naturalized citizens of New York.

Three more resolutions followed, but having immediate reference to local affairs, are omitted.

The following is Mr. Sampson's letter in reply to the gentlemen who waited on him to request he would preside at the great meeting of adopted citizens above mentioned.

*Lispenard street, April 7, 1834.*

GENTLEMEN: Gratified as I am by the mark you have given me of your confidence and regard, I must beg leave to decline your invitation to preside at your meeting. I have determined to attend no future meetings of adopted citizens, unless where their interests as such may happen to justify it. The worthy purpose you have in view, might well warrant an exception, were it not that there exists an impediment stronger than my will. A severe and long continued cold has so prostrated my strength, as to render me unfit for any exertion of body or mind.

In approving of the sentiments which were lately expressed by Dr. Macneven, you have my full concurrence except that in respect to the re-establishment of a national bank, I do not find my judgment sufficiently matured to pronounce decidedly. If the wisdom of the national councils shall be able to provide guards and restraints sufficient to prevent its ever becoming a political engine, I should then incline to consider it beneficial and expedient.

As to the letter of Dr. Macneven, in answer to a requisition of his fellow citizens, it is manifestly the production of a sound and vigorous understanding, and I am well convinced the heart of him who penned it is no less sound. It is clear, unsophisticated and unequivocal. He has however been accused of tergiversation and inconsistency, and for this reason, that on the 29th of January, he offered a resolution at his ward, approving the measures of the executive, which in his letter, after a lapse of about two months, he as positively condemned; and for this, without any regard to circumstances, or any account made of the character of the man, gross and unfounded calumnies have been heaped upon his head. It has been maliciously said that he was bribed and corrupted by the bank, and when this was found too revolting, another charge was added, that he had, through pique and disappointment on the refusal of an office, betrayed his friends, his party and his own unsullied reputation.

Is this, my fellow citizens, to be endured? Is this a fair use to be made of the liberty of the press? Are such calumnies to be justified by party spirit, or indulged as electioneering squibs? Are they not blisters on the foul tongue of him who utters them? Is it a maxim to be countenanced by honest citizens, that all is fair in politics, and that the exercise of the most important franchise, upon whose purity all security of our rights and liberties depends, is to be polluted by means so base and unworthy? Is that being true to a party which is false to justice and reckless of common decency? It is from the too great encouragement given to such unworthy means, that I have always stood aloof from party, and rather chosen to renounce its emoluments than bind myself to connive at what ought not to be tolerated.

I have nothing to say against those respectable citizens whose names have been used, I am convinced, against their will, to sanction the denunciation of my honored friend. As to that great and mixed gathering which was brought together on Friday evening at Tammany Hall, for the purpose, as the call expressed it, of removing the imputations of a previous meeting of adopted citizens unfavorable to the present administration, all upon the face of it was fair enough. They had a right to their opinions, and to speak according to their interests, their principles or their feelings. But there is a fact of which I have positive knowledge, and which ought not to be concealed. Before that call was agreed to, another had been proposed, in which the name of Dr. Macneven was specially inserted. It was discontenanced by the more discreet and creditable, and the call upon which the meeting was convened, substituted in its stead; and thus the names of many respectable individuals were artfully brought out to sanction resolutions with respect to Dr. Macneven, which I will confidently assert not one of them approved of. I could as well believe that such men could countenance that emanation from their meeting, which invaded the sanctity of the private abode of my friend, whose hisses and groans, and brutal exclamations, ominous of evil and characteristic of depravity, penetrated the recesses of his dwelling, carrying terror and alarm to the hearts of those females, to whom the ties of nature, and the knowledge of his virtues had rendered him so justly honored and so dear.

But if it be such a crime to change opinions, how many are there that may wince; and why is that indulgence refused to Macneven, which is so largely accorded to others. The times were changeful and eventful. Discussion by the ablest statesmen in the land was daily throwing additional light upon a subject, difficult and intricate in its nature and details; the aspect of public affairs was greatly altered, and those hardy assertions that there existed no pressure or distress became contradicted by facts too positive and peremptory. No man could go abroad into the scene of public affairs or to the seat of business, and shut his ears to the general complaints. Great failures were daily announced, and in those abodes of penury and suffering, where the charitable spirit of Macneven so often directed his steps, he witnessed the too moving instances of the sad truth. And many altered their opinions as the evil became more apparent, the causes more developed, and the subject better understood; and has it not at length been brought to this, that our state is to be laid under mortgage, as our Ireland was once about to be sold to the Jews, and the proceeds applied to stanch the leak.

There is one point, however, upon which I cannot excuse my friend, and upon which I must give him up. That point is the

want of worldly policy. In wisdom a man, he is in simplicity a child; in craft or cunning he is unfit to cope with a pigmy. Had he been an artful man, he would have taken pains to show by what steps he arrived at his conclusions, and better prepared his friends, with whom he had acted in confidence, to understand his motives. He would have been circumspect and plausible. But this will be readily forgiven by us who know his nature, and can allow for the abstraction which the examination of such a subject requires. As to the assertion that he has been influenced by pique and disappointment there is this plain answer, that before the resolutions of the 29th January, the three medical offices, including that of which he was deprived by the federal administration, and to which none of the republican governors that have succeeded, neither Mr. Van Buren, nor Mr. Throop, nor Mr. Marcy have thought proper to restore him, were all given away to others, before he offered that resolution so strongly in favor of the measures of president Jackson. Does not this show that, even at the moment when that unworthy slight of one who had devoted so much zeal and talent, and so much of his means to the democratic party, might have been most pungent, he still rose above the mean motives imputed to him, and continued to support his principles. But there are some of such sinister disposition that cannot believe in that generosity which they never felt within themselves, and to whom the heart of an honest and high minded man is a sealed book in which they cannot read.

In one point the adopted citizens have not had fair play, the Truth Teller, to which they look for information, condemned the conduct of the doctor, but omitted the letter to which that censure referred, and some who came to the meeting full of indignation, would have been, I apprehend, somewhat puzzled to say what it was about. But my countrymen have honest and feeling hearts, and will not be long deceived, they will read and judge for themselves, and remember that the man against whom they have been so suddenly inflamed, is the same united Irishman, the same conspicuous and efficient member of the great Catholic committee, whose energies and courage first forced the chain and broke the spell which held the Irish nation in abject slavery. The colleague of the amiable and virtuous *Feeling TONE*, the bosom friend of that ever memorable hero, the gallant, the accomplished, the lion-hearted *THEOBALD WOLFE TONE*. They will remember that from these and their interests he has never swerved. That his heart and hand have ever been open to the needy and distressed. That if for their sakes he has sometimes turned from the rich, at no time has he turned his face from the poor man, and if any feelings of gratitude remain, they will come back to him with redoubled affection, and if any honest pride, they will be proud of such a compatriot. I am, gentlemen, with much respect, yours very truly,

WILLIAM SAMPSON.

To Messrs. *John B. Lasala, Daniel Geary, William Flinn, B. Graham and Hugh Sweeney.*

The following is Dr. Macneven's answer to the deputation from the great meeting of adopted citizens, sent in pursuance of the second resolution:

GENTLEMEN: I sincerely thank you and my fellow citizens whom you represent for this testimony of your approbation. Permit me, at the same time, to use the liberty of a friend and to express to you frankly how much I disapprove of the common distinction taken between native and adopted citizens, as the latter are improperly called. The law knows no such classification, and it is contrary to our interest and our duty to make it ourselves, or countenance it from others. Whenever there is any thing to be lost or gained by it, there will not be wanting persons enough to bring up, without our suggestion that the naturalized is not a native born citizen. We have, on our oaths, renounced every foreign allegiance. We should therefore merge ourselves entirely in the great American family, and whenever we think of any other nation, should only do it in benevolence, or for purposes altogether disconnected from this country.

I will also avail myself of the present opportunity to say, that, with many others, I usually relied, in my estimate of the common effects of political measures, on the sentiments of those of my party who had more time and facility to study them than myself, and conformed to this easy course, until the latter end of January. After this time, in the early part of February, and ever since, the appalling failures of our traders and merchants took place, and that scene of general distress ensued which afflicts us still. This induced me to reflect more seriously on the causes and extent of the evil. I examined and judged for myself, and was struck with those acts of unwise policy, those transgressions against the principles of the constitution and republican government which I have attempted to set forth in my letter. It is no impeachment of my change of opinion, that, in declining to preside at Tammany Hall, I employed expressions of politeness in my answer to two gentlemen whom I respect. But I leave it to any candid mind, whether there is in my note on that occasion any committal of my opinion on the subject for which they met.

Office holders may allege that there is nothing amiss in this community, and perhaps they feel no distress; but persons who have to depend upon productive industry, meet it in their business, and their means of living. How long this state of things shall continue, depends upon the people; but it appears to me clear as noon day, that it must prevail until the general govern-

\*An alderman of the city, it appears, was "pretty nearly, if not quite," kicked out of the office of the sons of *Emmett*, for a charge of this kind against the doctor. Ed. Reg.

ment shall change its measures. As soon as I felt this conviction I was not deterred by obstinacy, false pride or prudential cowardice, from avowing the change.

I had never come up to that point of subordination, the perfection of the drill, at which the soldier is more in terror of his officers than of the enemy. The only thing I am afraid of is, the being knowingly and wilfully in error. I fear this more than the displeasure of my opponents, such as I respect them, and until they prove to me that I have violated one moral or political principle, they must allow me to hear their abuse with composure.

Be pleased, gentlemen, to accept for yourselves and your constituents, my best wishes and profound respect.

WILLIAM JAMES MACNEVEN.

#### A LETTER FROM MR. HEISTEL.

Washington, April 9th, 1834.

Messrs. GALES & SEATON:

As it may be interesting to many of my constituents to know why my vote is not found recorded on the very important questions decided in the house of representatives on Friday, the 4th instant, and also how I would have voted on the several propositions reported by the committee of ways and means, if I had been present, I deem it proper to make the following statement in relation thereto; and respectfully request that you will give it an insertion in the *Intelligencer* for the information of those who have honored me with their confidence and trust, as their representative.

My private business rendering my presence at home essentially necessary in the early part of the present month, I consulted a number of gentlemen of the house, and, amongst those, several prominent friends of the administration, as to the probability of the vote being taken the succeeding week after my leaving here on the all-absorbing subject then under the full tide of discussion. The general opinion was, as far as I could learn, that, as there were a number of members on both sides of the question desirous to express their views, the question would not be forced for at least two weeks from that time. The latter gentleman in particular, assured me that there was no disposition on the part of the majority to cut off debate for a couple of weeks—one of whom said he was going to set out for Philadelphia the same day I left here, and would be absent about as long as I expected to be gone, and that he felt perfectly satisfied that there was no danger that the vote would be taken in that time. He, however, did not leave the city at that time, as he said he would, and voted for the previous question.

Another of them said emphatically he should not give his consent to cut off debate until about the middle of the present month. He also voted for the previous question. It is not my intention to reflect on those gentlemen, for I believe them to have been sincere in what they then said. I merely state facts. Certain it is, however, that I was influenced, and felt safe in then leaving my post, in consequence of those assurances. Under these circumstances I left this on the 28th ult, and returned on the 6th instant, little expecting that the *gag law* was again to be resorted to so soon after my leaving here. And although my vote would not have changed the result, yet I regret that I missed the opportunity of recording it, so that all concerned might see how the trust confided to me was discharged on that occasion. And in order distinctly to manifest my sentiments to them, I will state that had I been in the house I should have voted against the previous question, which cut off the amendment offered by Mr. White declaring "that the reasons of the secretary of the treasury for removing the deposits were insufficient." And, if the previous question had not been carried, I should have voted for the amendment already quoted. The previous question, however, having been carried, and a separate vote having been taken on each of the resolutions reported by the committee of ways and means, I should have voted against the first resolution of the committee, declaring that "the bank of the United States ought not to be rechartered;" because I believe such an institution essentially necessary for the prosperity of the country; and that the continuance of the charter of the present bank, *judicially restricted*, would subvert the general interests of the community better than could be effected by destroying it and creating a new one.

I should have voted against the second resolution, declaring "that the deposits ought not to be restored." &c. and against the third, declaring that the state banks ought to be continued as the places of deposit, &c. &c. for the two-fold reason, that, in my judgment, they were wrongfully, injudiciously and illegally removed, and that they are now in unsafe repositories—placed there not by the act of the representatives of the people, to whom alone the constitution has entrusted the charge of the public treasure. I should have voted for the fourth resolution, directing an investigation into the conduct and concerns of the bank, and an inquiry into its alleged corruptions and abuses; not because I believe that any good can possibly arise from such investigation, for I am persuaded that the public is already sufficiently informed of the whole course and conduct of that institution, in form a correct judgment in relation to it. And on the action of the house of representatives it can certainly not be designed to have any effect, for by their vote they have prejudged and condemned it already. I should have voted for it, however, to avoid the imputation of shrinking from the investigation, and thereby leaving the impression that it was for fear of the development of mal-practices, which, in my opinion, do not exist.

Thus much I have thought proper to say, as a duty to myself, in warding off any unjust imputation that might be made, that I have skulked from my post to avoid the "responsibility" of voting on a subject now convulsing the whole country—for which, (if I were capable of acting, so unmanly and disingenuous a part), I should most heartily despise myself. Very respectfully,  
WM. HEISTEL.

#### COMPLIMENT TO MR. CAREY.

Philadelphia, March 19, 1834.

On Monday evening, a number of citizens, who had subscribed for the purchase of a pair of silver pitchers,\* to be presented to Mr. Carey, as a mark, of respect, assembled at the Mansion House, for the purpose of presentation by col. Fotherall, Adam Ramage and James Ronaldson, the committee to whom that office was appointed. Col. Fotherall, the chairman, delivered the following address:

Philadelphia, March 17, 1834.

To Mathew Carey, esq.

SIR—We have been appointed on behalf a number of citizens, to present you with these two pitchers in token of their high respect for your character, both public and private, the excellence of which has been evinced in your long and unwearied exertions to promote the manufacturing industry of the country, and in your ever attentive anxiety to discharge promptly and efficiently that first of Christian duties, the relief of private distress.

To say to a man who has been so long active on the theatre of life, and who has been so much in the habit of expressing his opinions on controverted subjects, that he has never been in error, would be neither in accordance with the sincerity of our esteem for you, nor complimentary to that good sense which would enable you to distinguish between an unworthy attempt to flatter, and the effusions of good will and true respect. But thus we will say, that for untiring industry, and purity of purpose, we know of no man whom we consider more entitled to the approbation and thanks of his fellow citizens.

Accept for ourselves, who have been so long witness of your active benevolence, our best wishes for your health and happiness.

STEPHEN E. FOTTERALL,  
JAMES RONALDSON,  
ADAM RAMAGE.

To which address Mr. Carey replied:

GENTLEMEN—The conscientiousness of a correct course of conduct is, to a well constituted mind, not merely an adequate motive, but the highest possible reward for such a course. Next to that reward, is the unbought and unsought for, approbation of fellow citizens, above the suspicion of sinister motives for their suffrages. Under this view of the subject, you may readily conceive how highly I appreciate this very flattering testimony of your regard, and that of your constituents.

To have gratuitously defended—for fourteen years, with all the zeal and energy of my mind, and at a heavy expence of time and money, and—while I continued in trade—at a great loss of business—the glorious cause of the protection of that important portion of the national industry, which furnishes agriculture with those most valuable and extensive markets, that gladden the hearts and enrich the pockets of the farmer, which converts his boundless raw productions into means of comfort and enjoyment for the nation; affords the pabulum for the most important portion of a widely extended and constantly increasing domestic trade, (the best of all trades—a trade, independent, during peace, of foreign regulations and restrictions, and during war, of decrees and orders in council); and at the same time contributes largely to the prosperity of commerce, by immense freights on imported bulky raw materials, (thrice as great as on imported manufactures), and by the exportation of elaborated articles, which form a great and growing item of our foreign trade—to have, I say, thus defended this cause, under almost every possible discouragement, (incomparably more from its wealthy friends than from its inveterate enemies)—a cause in which I never had the least personal interest—will afford me more satisfaction at that serious hour when my accounts with time shall close forever, and those with eternity commence—an hour which, at 74, cannot be very remote—than if I possessed the envied and enormous treasures of a Girard, gloated on and hoarded, till gloating and hoarding were at once terminated by the irrevocable decree of the conquerer death.

How far my efforts in favor of the protecting system, a system so vitally important to national greatness and grandeur, and to individual comfort and happiness—tended to produce the

\*The pitchers above referred to are of an Etruscan form, encircled by a wreath of grape vines, and the handles richly chased. The front of each bears the following inscription:—

"Presented to Mathew Carey, esq. by his fellow citizens, as a testimony of the high respect they have for his public and private character, A. D. 1834."

On the side of one of them is the following motto:

"True glory consists in performing acts worthy of record, or in writing matter calculated to render mankind wiser, better and happier."

On the side of the other—

"The constitution: Esto perpetua."

Opposite the mottoes on each is a handsomely engraved device, composed of the Irish harp, decorated with sprigs of Shamrock, and supporting the American eagle.

salutary tariff of 1824—carried by a mere majority of four—to which we owe so large a portion of the prosperity of the country, and its rescue from the abyss of distress and suffering into which it was plunged from 1816 till 1822—3, by the miserable tariff of 1816; to what fatal and infamous conduct we are to describe the deplorable change which has taken place in that benign system; and how easily that change and its ultimate ruinous consequences might have been prevented, by moderate sacrifices, to dispel the wonderful delusion which produced that disastrous result, I leave you to judge.

It would be most extraordinary, if, in the great variety of topics I have discussed since I began to write, above half a century ago, I had not, as you say, fallen into errors occasionally. But when you are so kind as to give me credit for "purity of purpose," I vain would hope you do me no more than justice.

Yours, very respectfully,  
MATHEW CAREY.

Philadelphia, March 17, 1834.

#### REMARKS OF MR. CLAY,

On presenting certain memorials, in the senate, on Monday last. Mr. Clay said he was charged with the pleasing duty of presenting to the senate the proceedings of a public meeting of the people, and two memorials, subscribed by large numbers of his fellow citizens, in respect to the existing state of public affairs.

The first he would offer were the resolutions of the young men of Troy, assembled upon a call of upwards of seven hundred of their number. He had recently visited that interesting city. It is (said he) one of the most beautiful of a succession of fine cities and villages that decorate the borders of one of the noblest rivers of our country. In spite of the shade cast upon it by its ancient and venerable sister and neighbor, it has sprung up with astonishing rapidity. When he saw it last fall, he never beheld a more respectable, active, enterprising and intelligent business community. Every branch of employment was flourishing. Every heart beat high in satisfaction with present enjoyment, and in hopes for the prospect of future success. How sadly has the scene changed! How terribly have all their anticipations of continued and increasing prosperity been dashed and disappointed by the folly and wickedness of misguided rulers!

The young men advert to this change, in their resolutions, and to its true cause. They denounce all experiments upon their happiness. They call for the safer councils which prevailed under the auspices of Washington and Madison, both of whom gave their approbation to charters of a bank of the U. States.

But what gives to these resolutions peculiar interest, in his estimation, is, that they exhibit a tone of feeling which rises far above any loss of property, however great, any distress from the stagnation of business, however intense. They manifest a deep and patriotic sensibility to executive usurpations, and to the consequent danger to civil liberty. They solemnly protest against the union of the purse and the sword in the hands of one man. They would not have consented to such an union in the person of the father of his country, much less will they in that of any living man. They feel that, when liberty is safe, the loss of fortune and property is comparatively nothing; but that when liberty is sacrificed, existence has lost all its charms.

The next document which he had to offer was a memorial, signed by near nine hundred mechanics of the city of Troy. Several of them were personally known to him. And judging from what he knew, saw, and heard, he believed there was not any where a more skillful, industrious and respectable body of mechanics than in Troy. They bear testimony to the prevalence of distress, trace it to the removal of the executive branch of the government, and the recharter of the public depositories; ask their restoration, and the recharter of the bank of the United States. And the committee, in their letter addressed to him, say: "We are, what we profess to be, working men, dependent upon our labor for our daily bread, confine our attention to our several vocations, and trust in God and the continental congress for such protection as will enable us to operate successfully."

The first mentioned depository of their confidence will not deceive them. But I lament to say that the experience, during this session, does not authorise us to anticipate that co-operation in another quarter which is indispensable to the restoration of the constitution and laws, and the recovery of the public purse.

The last memorial he would present, had been transmitted to him by the secretaries to a meeting stated to be the largest ever held in the county of Schenectady, in New York. It is signed by about eight hundred persons. In a few instances, owing to the subscriptions having been obtained by different individuals, the same name occurs twice. The memorialists bring their testimony to the existence of distress, and the disorders of the currency, and invoke the application of the only known, tried and certain remedy, the establishment of a national bank.

And now, Mr. President (continued Mr. Clay) I will avail myself of the occasion to say a few words on the subject-matter of these proceedings and memorials, and on the state of the country as we found it at the commencement of the session, and its present state.

When we met, we found the executive in the full possession of the public treasury. All its barriers had been broken down, and in place of the control of the law was substituted the uncontrolled will of the chief magistrate. I say uncontrolled: for it is idle to pretend that the executive has not unrestrained access to the public treasury, when every officer connected with

it is bound to obey his paramount will. It is not the form of keeping the accounts; it is not the place alone where the public money is kept; but it is the power, the authority, the responsibility of independent officers, checking and checked by each other, that constitute the public security for the safety of the public treasure. This no longer exists, is gone, is annihilated.

The secretary sent us in a report containing the reasons (if they can be dignified with that appellation) for the executive seizure of the public purse. Resolutions were promptly offered in this body, denouncing the procedure as unconstitutional and dangerous to liberty, and declaring the total insufficiency of the reasons. Near three months were consumed in the discussion of them. In the early part of this protracted debate, the supporters of the executive measure stoutly denied the existence of distress, pronounced it a panic got up for dramatic effect, and affirmed that the country was enjoying great prosperity. Instances occurred of members asserting that the places of their own residence was in the full enjoyment of enviable and unexampled prosperity, who, in the progress of the debate, were compelled reluctantly to own their mistake, and to admit the existence of deep and intense distress. Memorial after memorial poured in, committee after committee repaired to the capitol to represent the sufferings of the people, until incredulity itself stood rebuked and abashed. Then it was the bank that had inflicted the calamity upon the country—that bank which was to be brought under the feet of the executive, and which it was necessary, at all events, in the opinion of the president, should proceed forthwith to wind up its affairs.

And, during the debate, it was again and again pronounced by the partisans of the executive, that the sole question involved in the resolutions was bank or no bank. It was in vain that we protested, solemnly protested, that that was not the question; and that the true question was of immensely higher import, that it comprehended the inviolability of the constitution, the supremacy of the laws, and the union of the purse and the sword in the hands of one man. In vain did members repeatedly rise in their places, and proclaim their intention to vote for the restoration of the depositories, and their settled determination to vote against the recharter of the bank, and against the charter of any bank. Gentlemen persisted in asserting the identity of the bank question, and that contained in the resolutions; and thousands of the people of the country are, to this moment, deluded by the erroneous belief in that identity.

Mr. President, the arts of power and its minions are the same in all countries and in all ages. It marks a victim; denounces it; and excites the public odium and the public hatred, to conceal its own abuses and encroachments. It avails itself of the prejudices, and the passions of the people, silently and secretly, to forge chains to enslave the people.

Well, sir, during the continuance of the debate, we have been told over and over again, that, let the question of the depositories be settled, let congress pass upon the report of the secretary, and the activity of business and the prosperity of the country will again speedily revive. The senate has passed upon the resolutions, and has done its duty to the country, to the constitution, and to its conscience.

And the report of the secretary has been also passed upon in the other house; but how passed upon? The official relations which exist between the two houses, and the expediency of preserving good feelings and harmony between them, forbid my saying all that I feel on this momentous subject. But I must say, that the house, by the constitution, is deemed the special guardian of the rights and interests of the people; and, above all, the guardian of the people's money in the public treasury. The house has given the question of the sufficiency of the secretary's reasons the go-by, evaded it, shunned it, or rather merged it, in the previous question. The house of representatives has not ventured to approve the secretary's reasons. It cannot approve them; but, avoiding the true and original question, has gone off upon a subordinate and collateral point: It has indirectly sanctioned the executive usurpation. It has virtually abandoned its constitutional care and control over the public treasury. It has surrendered the keys, or rather permits the executive to retain their custody; and thus acquiesces in that conjunction of the sword and the purse of the nation, which all experience has evinced, and all patriots have believed, to be fatal to the continuance of public liberty.

Such has been the extraordinary disposition of this great question. Has the promised relief come? In one short week, after the house pronounced its singular decision, three banks in this District of Columbia have stopped payment and exploded. In one of them the government has, we understand, sustained a loss of thirty thousand dollars. And in another, almost within a stone's throw of the capitol, that navy pension fund, created for our infirm and disabled, but gallant tars, which ought to be held sacred, has experienced an abstraction of \$20,000! Such is the realization of the prediction of relief made by the supporters of the executive.

And what is the actual state of the public treasury? The president, not satisfied with the seizure of it, more than two months before the commencement of the session, appointed a second secretary of the treasury since the adjournment of the last congress. We are now in the fifth month of the session; and in defiance of the sense of the country, and in contempt of the participation of the senate in the appointing power, the president has not yet deigned to submit the nomination of his secretary to the consideration of the senate. Sir, I have not looked into the record, but, from the habitual practice of every pre-

vious president, from the deference and respect which they all maintained towards a co-ordinate branch of the government, I venture to say that a parallel case is not to be found.

Mr. President, it is a question of the highest importance what is to be the issue, what the remedy, of the existing evils. We should deal with the people openly, frankly, sincerely. The senate stands ready to do whatever is incumbent upon it; but unless the majority in the house will relinquit unless it will take heed of and profit by recent events, there is no hope for the nation from the joint action of the two houses of congress at this session. Still, I would say to my countrymen, do not despair. You are a young, brave, intelligent, and as yet a free people. A complete remedy for all that you suffer, and all that you dread, is in your own hands. And the events, to which I have just alluded, demonstrate that those of us have not been deceived who have always relied upon the virtue, the capacity, and the intelligence of the people.

I congratulate you, Mr. President, and I hope you will receive the congratulation with the same heartfelt cordiality with which I tender it, upon the issue of the late election in the city of New-York. I hope it will excite a patriotic glow in your bosom. I congratulate the senate, the country, the city of New York, the friends of liberty every where. It was a great victory. It must be so regarded in every aspect. From a majority of more than six thousand, which the dominant party boasted a few months ago, if it retain any, it is a meagre and spurious majority of less than two hundred. And the whigs contended with such odds against them. A triple alliance of state placemen, corporation placemen and federal placemen, amounting to about thirty-five hundred, and deriving, in the form of salaries, compensations and allowances, ordinary and extra, from the public chests, the enormous sum, annually, of near one million of dollars. Marshallled, drilled, disciplined, commanded. The struggle was tremendous; but what can withstand the irresistible power of the votaries of truth, liberty and their country? It was an immortal triumph—a triumph of the constitution and the laws over usurpation here, and over clubs and bludgeons and violence there.

Go on, noble city! Go on, patriotic whigs! follow up your glorious commencement; persevere, and pause not until you have regenerated and disenthralled your splendid city, and placed it at the head of American cities devoted to civil liberty, as it now stands pre-eminently the first as the commercial emporium of our common country! Merchants, mechanics, traders, laborers, never cease to recollect that, without freedom, you can have no sure commerce or business; and that without law you have no security for personal liberty, property, or even existence! Countrymen of Tene, of Emmet, of Macneven, and of Saapson, if any of you have been deceived, and seduced into the support of a cause dangerous to American liberty, hasten to review and correct your course! Do not forget that you abandoned the green fields of your native island to escape what you believed the tyranny of a British king! Do not, I adjure you, lend yourselves, in this land of your asylum, this last retreat of the freedom of man, to the establishment here, for you, and for us all, of that despotism which you had proudly hoped had been left behind you, in Europe, forever! There is much, I would fain believe, in the constitutional forms of government. But at last it is its parental and beneficent operation that must fix its character. A government may in form be free, in practice tyrannical; as it may in form be despotic, and in practice liberal and free.

It was a brilliant and signal triumph of the whigs. And they have assumed for themselves, and bestowed on their opponents, a demonstration which, according to all the analogy of history, is strictly correct. It deserves to be extended throughout the whole country. What was the origin, among our British ancestors, of those appellations? The Tories were the supporters of executive power, of royal prerogative, of the maxim that the king could do no wrong, of the detestable doctrines of passive obedience and non-resistance. The whigs were the champions of liberty, the friends of the people, and the defenders of the power of their representatives in the house of commons.

During our revolutionary war, the Tories took sides with executive power and prerogative, and with the king, against liberty and independence. And the whigs, true to their principles, contended against royal executive power, and for freedom and independence.

And what is the present but the same contest in another form? The partisans of the present executive sustain his power in the most boundless extent. They claim for him *all* executive authority. They make his sole will the governing power. Every officer concerned in the administration, from the highest to the lowest, is to conform to his mandates. Even the public treasury, hitherto regarded as sacred, and beyond his reach, is placed by them under his entire direction and control. The whigs of the present day are opposing executive encroachment, and a most alarming extension of executive power and prerogative. They are ferreting out the abuses and corruptions of an administration, under a chief magistrate who is endeavoring to concentrate in his own person the whole powers of government. They are contending for the rights of the people, for civil liberty, for free institutions, for the supremacy of the constitution and the laws. The contest is an arduous one; but, although the struggle may be yet awhile prolonged, by the blessing of God and the spirit of our ancestors, the issue cannot be doubtful.

The senate stands to the breach, ready to defend the constitution, and to relieve the distresses of the people. But, with-

out the concurrence of another branch of congress, which ought to be the first to yield it, the senate alone can send forth no act of legislation. Unaided, it can do no positive good; but it has vast preventative power. It may avert and arrest evil, if it cannot rebuke usurpation. Senators, let us remain steadily by the constitution and the country, in this most portentous crisis; let us oppose, to all encroachments and to all corruption, a manly, resolute and uncompromising resistance; let us adopt two rules from which we will never deviate, in deliberating upon all nominations. In the first place, to preserve untarnished and unsuspected the purity of congress, let us negative the nomination of every member for any office, high or low, foreign or domestic, until the authority of the constitution and laws is fully restored. I know not that there is any member of either house capable of being influenced by the prospect of advancement or promotion; I would be the last to make such an insinuation; but suspicion is abroad, and it is best, in these times of trouble and revolution, to defend the integrity of the body against all possible imputations. For one, whatever others may do, I here deliberately avow my settled determination, whilst I retain a seat in this chamber, to act in conformity to that rule. In pursuing it, we but act in consonance with a principle proclaimed by the present chief magistrate himself when out of power. But, alas! how little has he respected it in power! How little has he, in office, conformed to any of the principles which he announced when out of office!

And, in the next place, let us approve of the original nomination of no notorious brawling partizan and electioneer; but, especially, of the reappointment of no officer presented to us, who shall have prostituted the influence of his office to partizan and electioneering purposes. Every incumbent has a clear right to exercise the elective franchise. I would be the last to controvert or deny it. But he has no right to employ the influence of his office, to exercise an agency which he holds in trust for the people, to promote his own selfish or party purposes. Here, also, we have the authority of the present chief magistrate for this rule; and the authority of Mr. Jefferson. The senator from Tennessee (Mr. Grundy) merits lasting praise for his open and manly condemnation of these practices of official incumbents. He was right, when he declared his suspicion and distrust of the purity of the motives of any officer whom he saw busily interfering in the elections of the people.

Senators! we have a highly responsible and arduous position; but the people are with us, and the path of duty lies clearly marked before us. Let us be firm, persevering and unmoved. Let us perform our duty in a manner worthy of our ancestors—worthy of American senators—worthy of the dignity of the sovereign states that we represent—above all, worthy of the name of American freemen! Let us “pledge our lives, our fortunes, and our sacred honor,” to rescue our beloved country from all impending dangers. And, amidst the general gloom and darkness which prevail, let us continue to present one unextinguished light, steadily burning, in the cause of the people, of the constitution, and of civil liberty.



LIST OF DEPOSITE BANKS.

Date of return.	Name and location.	Specie.	Bills of oth. bk.
February	1 Marine bank of Portland	11,319	49,360
	3 Commercial, Portsmouth	54,390	14,890
	3 Commonwealth, Boston	118,544	503,000
January	3 Merchants' do.	150,135	351,000
	31 Merchants', Salem, Mass.	5,869	35,000
December	30 Bank of Burlington, Vt.	28,754	6,000
	31 New London bank	5,697	3,173
January	1 Mechanics, New Haven	93,328	7,991
February	1 Arcade, Providence	22,500	9,000
	Newport, Rhode Island	6,817	22,000
January	31 Bristol, do.	2,880	29,000
February	7 Bank of America, New York	340,000	933,266
January	25 Mechanics, do.	259,638	1,298,116
February	1 Manhattan, do.	208,545	1,210,585
	5 Girard, Philadelphia	271,000	787,825
December	3 Union bank of Maryland	553,232	368,449
	3 Metropolis, Washington	153,997	566,783
	31 Bank of Virginia	435,925	130,755
January	28 Planters', Savannah	425,700	10,730
	25 Franklin, Cincinnati	113,349	101,144
	17 Union bank of Louisiana	242,358	595,280
	35 Commercial, New Orleans	107,018	272,973
	December	31 Planters', Natchez	166,709
January	27 Bank S. of Ala. Mobile	145,766	117,070
December	31 Bank of Michigan, Det.	37,300	83,955
No returns.	Union bank of Tennessee		
	Farmers and Mechanics, Hartford		
	Bank of Louisville, Kentucky.		



BANK OF THE UNITED STATES—1826.

We give the following curious document without remark—  
To the Directors of the bank of the United States:  
The memorial of the subscribers, in behalf of themselves and their fellow citizens of Albany, respectfully sheweth—

[\*In addition to the specie on that day in the vaults of the Union bank, we have ascertained that there was due to that bank from the other banks in the city of Baltimore, payable on demand in coin, a net balance of \$125,007.]

That, since the completion of the northern and western canals of this state, such facilities are given to transportation, that the quantities of country produce brought to this market from the interior of this state are increased to an immense amount; and when to this is added the produce which will be brought to this market from the fertile regions of the north-western parts of Pennsylvania, the state of Ohio, and the territory of Michigan, some idea may be formed of the amount of business which might be done in this place, was there a sufficient moneyed capital located here, to give countenance and support to commercial enterprise. The capital of the banks located here, under state incorporations, is entirely insufficient to afford those facilities to commercial enterprise which the business of the place would warrant, and which the most cautious prudence would justify. The limited capital of our banks forbids the extension of our trade. Merchants of moderate fortune are discouraged from taking up their abode amongst us, from a knowledge that the banking capital of the place is not adequate to the demands which are made upon it for the prosecuting of a sufficiently extensive business to render it profitable; and instances are not wanting of active, intelligent and enterprising merchants removing from this place to the city of New York, to participate in the benefits of an increased banking capital there, although their business has principally been continued with the interior of this state. The western world is pouring its treasures into the market of Albany, but its citizens are doomed, with tantalized feelings, to behold a rich and profitable trade float past them to the city of New York, solely for the want of a sufficient banking capital located amongst them.— Could the produce brought to this place be purchased here, such portion as is not wanted for home consumption might be exported directly from here to a foreign market, (as far as the navigation of the Hudson would permit), and return cargoes, calculated for the interior of the country, might be imported, without the expense of trans-shipment at New York, or the profits of the importing merchant there. These considerations have induced the citizens of Albany ONCE MORE to ask for the establishment of a branch or office of discount and deposit of the bank of the United States in this city.

It is hoped this application will be favorably received, as the same causes which render it desirable to the citizens of Albany to have a branch of the United States bank established here, conclusively shew, that it would be a source of profit to the parent institution. Indeed, it is believed that a branch here would be more profitable in reference to the extent of business done, than several of the branches located in sea port towns. The local situation of Albany renders it an entrepot between the eastern states and the western countries; between the south and the north, and consequently a very extensive currency would be given to the bills issued from a branch here, and the nature of the trade which would be prosecuted here, would in a great measure render the bills of a branch established at this place the circulating medium of the extensive regions whose produce would be brought to this market.

Inasmuch, therefore, as the establishment of a branch here would not only be highly advantageous to this city, but be a source of profit to the parent institution, we hope that the directors of the United States bank will establish an office of discount and deposit at this place.

Albany, July 10, 1835.  
 McMillan & Bagley,  
 William Cook,  
 John J. Godfrey,  
 V. W. Rathbone,  
 W. & J. G. White,  
 William McHarg,  
 Hickock & La Grange,  
 Wilder, Hastings & Co.  
 Spencer Stafford,  
 S. & H. Stafford,  
 G. & S. Buckley,  
 J. Pruyn,  
 Marvin & Raymond,  
 Daniel Steele,  
 A. & S. Lightbody,  
 Gerrit L. Dox,  
 Samuel L. Pruyn,  
 Humphrey & Co.  
 Mancius & Le Breton,  
 John L. Wendell,  
 J. McPherson,  
 W. C. Miller,  
 Tilly Allen,  
 Lyman Root,  
 Joseph Dennison,  
 John Dow,  
 W. S. & E. C. McIntosh,  
 Lemuel Steele,  
 Wood & Acres,  
 J. & H. Meacham,  
 C. Baldwin,

Charles E. Dudley,  
 M. Van Buren,  
 Israel Smith,  
 Corning & Norton,  
 J. Stillwell & Co.  
 J. Backus,  
 Webb & Drummer,  
 James Stevenson,  
 B. F. Butler,  
 J. J. Hamilton,  
 W. L. Marcy,  
 J. Dewitt,  
 Isaac Dennison,  
 J. & I. Townsend,  
 Elisha Jenkins,  
 Charles R. Webster,  
 James La Grange,  
 K. K. Van Rensselaer,  
 Christian Miller,  
 C. Humphreys,  
 Walter Clark,  
 Alexander Marvin,  
 R. H. King & Co.  
 S. Van Rensselaer,  
 Nathan Sanford,  
 R. M. Meigs,  
 Richard Marvin,  
 C. & E. Egbert,  
 Chandler Starr,  
 Isaac W. Staats,  
 Corns. Van Antwerp.

BANK OF THE UNITED STATES.

April 8th, 1834.

At a meeting of the board of directors held this day, Mr. Eyre, from the committee on the offices, presented the following report, which was read. Whereupon, on motion Mr. Sergeant, it was unanimously

Resolved, That the said report be approved and published.

Extract from the minutes,

S. J. AUDON, cashier.

The committee on the offices deem the close of the first quarter of the year, a proper occasion to present a review of the measures adopted by them, in conformity to the instructions of the board, on the 24th of September, and 21st January last.

During the summer of 1833, it became manifest that the executive of the United States, meditated some signal act of hostility to the bank; and, accordingly, the board took early measures to provide against it. For this purpose, they began by preventing the increase of the business of the bank—by diminishing the time of the loans, so as to make the funds of the bank more available, and finally, in protecting the western offices against a repetition of the effort made during the last year to cause a run upon them.

Accordingly, on the 13th of August, 1833, the board adopted the following resolutions:

1. Resolved, That for the present and until the further order of the board, the amount of "bills discounted," shall not be increased at the bank and the several offices.

2. Resolved, That the bills of exchange, purchased at the bank, and all the offices, except the five western offices, shall not have more than ninety days to run.

3. Resolved, That the five western offices be instructed to purchase no bills of exchange, except those payable in the Atlantic cities, not having more than ninety days to run—or those which may be received in payment of existing debts to the bank and the offices, and then not having more than four months to run.

This was the only measure then deemed necessary, the board being anxious to make the bank safe, without incommoding the country. So strong was this conviction, and so reluctant were the board, to diminish its business until it became necessary, that when, on the 16th of August, the government directors offered a resolution "for the gradual reduction of the business of the institution throughout all sections of the country," the board declined even the consideration of it.

It was not until the 24th of September, that as the indications of an approaching act of aggression were multiplied, the board appointed a committee of seven members "to take into consideration what measures it is necessary and proper should be adopted on the part of the bank in consequence of the recent intimations that the deposits of the government are to be moved."

The committee, still unwilling to diminish its accommodation to the community, did not advise any curtailment of the loans, but merely followed out the plan adopted on the 13th of August; of keeping the funds of the bank in a state of activity, and moving them forward gradually to the Atlantic cities, where the bank was most vulnerable by the treasury. They therefore, on the 1st of October proposed resolutions, which were adopted to the following effect:

1st. To extend their third resolution of the 13th of August from the five western offices to the offices of Burlington, Utica, Buffalo, Pittsburgh, Natchez and New Orleans.

2d. That all the other offices should likewise purchase bills only on the Atlantic cities, New Orleans and Mobile, not having more than 90 day to run.

3d. To increase the rates of buying bills of exchange.

4th. To restrict the receipt of the state bank notes to those in the same places with the offices;—and

5th. To collect the debts due by distant state banks.

Up then to the 1st of October, 1833, no order had been given to curtail the loans. But all who are familiar with our commerce know that during the summer, in the interval between the old and the new crop, commercial operations and the loans founded on them, subside. This may be seen in the following statement of the reduction of the business of the bank between the 1st of July and 1st of October for many successive years.

That reduction amounted—

In 1833 to 1,940,436 14
1824 to 2,119,291 31
1825 to 1,311,436 75
1826 to 3,012,258 41
1827 to 2,215,818 61
1828 to 1,473,926 98
1829 to 3,258,080 10
1830 to 2,710,644 14
1831 Here there was an increase under the peculiar circumstances of the country during that year.
1832 to 4,723,770 70
1833 to 3,275,694 62

So that, without any orders to that purpose, but in the natural course of business, the loans had diminished from the 1st of July to the 1st of October, 1833, \$3,275,694 62—a result occasioned by the voluntary payment at maturity of bills of exchange amounting to..... 3,808,761 00  
 And an increase of the local loans..... 533,066 38

Leaving the aggregate reduction..... 3,275,694 62

It was probably in consequence of ignorance of the business of the country that the secretary assigned as a reason for removing the deposits, the "curtailments" and the "oppressive system of policy" of the bank, because the returns of the bank showed a reduction from August to October of \$4,066,146 21.

He ought to have seen from the statements furnished to him, that there were no curtailments at all. He ought further to

have known that this "oppressive system" consisted of a voluntary reduction by the maturity of bills of exchange drawn at N. Orleans to the amount of.....\$2,037,099 59  
Of bills drawn at other places.....1,018,215 90

Making.....3,055,315 49  
And of a voluntary diminution of local loans of....1,010,830 72  
4,066,146 21

This very reduction in the local loans moreover consisted merely of a voluntary payment by a mercantile house, under an arrangement for paying the 3 per cents. in Europe, by which bills on London were substituted for the sum of \$1,046,678 60, advanced to them; so that there was not one dollar of involuntary reduction of the loans at the very moment when the secretary gave as a reason for removing the deposits, the oppressive curtailments of the bank.

About the 1st of October the removal of the deposits took place. Without a moment's previous notice, the bonds actually in the bank were withdrawn from it—and it has since appeared that while the treasury was sending daily and weekly lists, professing to contain all the orders on the bank—secret draughts suppressed from the lists, to the amount of \$2,300,000 were distributed for the purpose of being suddenly used, while the bank was ignorant of their existence. It was then for the first time that the bank yielded to the necessity of diminishing its accommodations to the community.

On the 8th of October, the committee appointed on the 24th of September, reported the following resolution, which was adopted.

"That the committee on the offices be authorised to direct such a gradual reduction in the amount and the time of the loans at the respective offices, as may in their judgment be made without inconvenience to the customers of the bank or the community?"

The committee endeavored to execute this authority in such a manner as would accomplish the object of securing the bank without injuring the community, and they accordingly directed a reduction of the loans in conformity to the situation of each office, while at the same time the purchase of domestic bills was left as unrestricted as the state of the bank permitted, in order to facilitate the reduction of the local loans, and also provide the means of transmitting the proceeds of these reductions to the exposed parts of the establishment.

The progress of these reductions will be seen in the annexed comparative statement, marked A, of the condition of the bank on the 1st of October and the 1st of April respectively:

From this table it appears that the total amount of reduction was.....\$5,937,385 31  
But from this should be deducted the operations in the old suspended debt at the agencies at Cincinnati and Chillicothe, which being settlements in, or for, real estate, are not connected with this movement—they amount to.....239,858 19

So that the actual reduction of loans from the 1st of October to 1st of April, has been only.....\$5,057,527 12  
During the same period the reduction of deposits was.....7,778,403 41

This will be more perspicuously seen in the following statement:

1833.	Loans.	Public deposits.	Private deposits.
October 1,	60,094,202 93	9,865,435 58	8,008,862 78
November 1,	57,210,604 38	8,232,311 18	7,285,041 88
December 1,	54,453,104 67	5,162,260 63	6,827,173 10
1834.			
January 1,	54,911,461 70	4,230,509 63	6,734,866 06
February 1,	54,842,973 64	3,066,561 72	6,715,312 60
March 1,	56,167,829 86	2,604,233 62	7,343,129 92
April 1,	54,806,817 62	2,932,866 74	7,166,038 21
	Reduction on public deposits.....	\$6,935,568 84	
	private deposits.....	842,334 57	
		7,778,403 41	
	Reduction of loans.....	5,057,527 12	

During the same period the accommodation given to the state banks will be exhibited in the following statement of the balances due from them, and the amount of their notes on hand at these several periods:—

October 1,	\$4,719,972	February 1,	\$3,211,385
November 1,	4,489,217	March 1,	2,035,985
December 1,	4,083,258	April 1,	2,195,489
January 1,	3,519,385		

Leaving the monthly average.....\$3,464,956  
In the same period the bank has purchased of domestic bills of exchange.....\$32,788,704  
And of foreign bills.....1,882,620  
In the same time it has paid its branch notes, which it was not obliged to pay except where issued, at Baltimore, Philadelphia, New York and Boston, to the amount of.....19,691,130

Having thus succeeded in bringing the funds of the bank into a state of control, ready to be applied in whatever quarter they be most needed, the committee in the month of March directed the southern offices to abstain from increasing the amount of their purchases of domestic bills of exchange beyond their incomes.

Such is the history and the present state of the reductions directed by the committee.

The examination of it will present the following result:  
1st. That the bank never directed any curtailment of its loans until the actual removal of the deposits.

2d. That the only actual reduction of loans took place from the 1st of October to the 1st of December, when the loans were diminished.....\$5,641,098 26

While at the same time the public and private deposits were reduced.....5,887,864 63

3d. That from the 1st of December, 1833, to the 1st of April, 1834, the loans have not been reduced, but on the contrary have actually been increasing, and are greater on the 1st of April, 1834, than on the 1st of October, 1833, by.....353,712 95

While during that same period the public deposits, had decreased no less than.....2,239,393 89

4th. That the total reduction of loans from 1st of Oct. to 1st of April, was.....5,057,527 22  
While the public deposits had been reduced.....\$6,935,568 84  
Private deposits.....842,334 57

Making an aggregate of.....7,778,403 41  
being a reduction of loans less, by nearly three millions, than the reduction of deposits.

5th. That so far from restricting the trade of the country, it has actually purchased from the 1st of October to the 1st of April of domestic and foreign bills of exchange.....\$34,671,324

6th. That the state banks were permitted to be indebted to the bank an average monthly amount of.....3,464,956

These statements may be not inappropriately closed, by a few remarks.

Up to the 1st of October, 1833, the bank of the United States was responsible for the general condition of the currency of the country. After years of effort and sacrifice, it had brought the currency and the exchanges of the union into a condition probably better, in many respects, than existed elsewhere. With this responsibility was mingled the duty of averting every calamity, and mitigating every shock that might, by deranging the currency, injure the community. It was for this purpose that the bank interposed in the disastrous crisis of 1825,—for this that it extended its loans in 1831 until the country could recover from its excessive importations—for this that it defrayed, out of its own funds, the cost of postponing the payment of the three per cents. in 1832—for this that, in the same year, it assumed the payment of the debt to foreigners, lest their demands might add to the troubles of a pestilence which was disordering the commerce of the country. It was for this, in short, that, at all times and under all circumstances, the currency and the exchanges were objects of its constant solicitude.

On the 1st of October, 1833, the violation of the charter of the bank put an end to all that responsibility. On that day, the bank of the United States, as a component part of the financial system established by congress, in which the public revenue was to sustain the public currency, ceased to exist. It became the property of its stockholders—and whether that property should continue to be lent, or should be recalled from the borrowers in greater or less proportions, was a matter for them, and for them alone, to decide. If, therefore, in the effort to sustain its credit, the directors of the bank had reduced its loans more rapidly than consisted with public convenience, the reproach should be on the aggressors who had made this act of self-defence necessary.

It has indeed been asserted, that the bank has made oppressive curtailments; and the motives ascribed for them are unkindness to the executive, and a desire to extort from public suffering a continuance of its charter. Nothing can be more groundless than the allegation, except the causes assigned for it. So far from making any unnecessary curtailments, it has been seen that the bank has made the least possible reduction, consistent with its own security. True it is, that since the bank refused to permit the political interference of the executive officers, it has been the object of embittered hostility; and equally true that this very removal of the deposits was declared, by the secretary of the treasury who refused to make it, to be a "vindictive" act against the institution. But these are feelings which the directors of the bank cannot possibly reciprocate. Nor would they deem so meanly of the spirit and intelligence of their countrymen, as to believe that they would be driven to support what their judgments disapproved by any inconveniences which the bank could occasion. So far from having the remotest wish to cause such sufferings, the bank, if it has erred, has erred on the gentler side of looking less to its own interests than to those of the country. For that extreme forbearance, however, it finds an adequate justification in the extraordinary position in which the country is now placed.

The violation of the laws committed by the executive, is of itself calculated, by destroying confidence, and brenting down the established currency, to afflict and convulse the country. In such a crisis the bank, unwilling to aggravate these evils, has forbore to press its claims, but constantly endeavored to mitigate the severity of the injuries inflicted on the community. It will still continue to do so, whenever it can be done with safety. But that safety is its first duty and must be its chief care.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 9—VOL. X.] BALTIMORE, APRIL 26, 1834. [VOL. XLVI. WHOLE No. 1,179.

THE PAST—THE PRESENT—FOR THE FUTURE.

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The protest of the president of the United States to the senate, against a certain resolution which recently passed that body, communicated by message on the 17th instant, will be found, at length, in subsequent pages, and also a second message transmitted on the 21st, explanatory of some matters stated in that of the 17th. These extraordinary proceedings have caused an extraordinary agitation in the senate, as well as in the public mind. It is impossible for us to give the speeches of the senators, though we may briefly notice some of them. They are very animated, and parts of them very severe.

In our journal of the proceedings of the house of representatives, it will be seen that Mr. *Wise*, of Virginia, and Mr. *Peyton*, of Tennessee, have introduced certain series of resolutions which have caused much excitement, especially those of the last, as casting a censure on a particular act of the senate. The majority required to suspend the rule concerning the offering of resolutions, was not obtained in either case. We have given the yeas and nays in full. It will be seen that the opponents of the administration generally, with several other gentlemen, supported the motion of Mr. *Wise*, as well as that of Mr. *Peyton*—and so it appears that, if the party with whom the latter gentleman acts, had been willing to discuss and support the propositions made by him, the leave asked for would have been easily obtained.

The motion of Mr. *Forsyth*, in the senate, on Monday last, to insert, in the resolutions of Mr. *Poindeexter*, a certain paper which these resolutions declared should not be received, must have had for its example a famous decree of the *Athenians*, who gave the name of a person to the memory of ages yet distant, by declaring it a public offence to pronounce it!

Another strange circumstance appears in this day's proceedings, as we copy them (on this occasion) from the "Globe." The alteration of certain words of the "protest," after it was in possession of the senate, on the suggestion of the private secretary of the president. The *practice*, in this instance, may have been innocent, but the *principle*, we think, ought not to be submitted to. The whole paper, and every word on the paper, was the unquestionable property of the senate, and the senate, only, had power to admit an alteration or amendment of it, on application made for that purpose.

The protest, as read to the senate, had been even discussed at considerable length—an action had been had upon it; and yet it was sent forth to the people, not as it was discussed by the senate, but as amended by an individual who had no sort of authority over it, except to keep it safely, and in its original shape. The power to alter a word, extends to the alteration of a paragraph—the change of a part to a change of the whole. It can have no limit.\*

Such an excitement as showed itself in the galleries of the senate on Friday the 20th inst. when Mr. *Leigh* spoke of the compromise of the tariff bill, should not be permitted; and yet spontaneous and involuntary bursts of ap-

\*We see it stated by the correspondent of the Philadelphia "American Daily Advertiser" that Mr. *Evins* said that the word "his," as frequently read to the senate, was altered to the word "the" as published in the "Globe"—and that 40,000 of these altered copies had been printed, &c. In the original, for example, the secretary of the treasury was called *his* or *my* [i. e. the president's] secretary, but in the amended copy the secretary.

The account proceeds to say, that, after the secretary of the senate had been called to state the facts, and did state them—Mr. *Clay* said, "I call upon the senate and the whole country to witness, that the day after a document sent to the senate by the president of the United States was read, and debated, the president sends his secretary to the clerk of the senate, alters the document, and sends it out to the people, with its most odious features concealed."

plause, or of laughter, cannot always be suppressed, even by those who would be among the last men living to treat the senate with disrespect. We think that a distinction might and should be made—though, in all cases, such proceedings ought to be rebuked. The clearing of the galleries, however, is a severe measure—and a general order for the arrest of persons, innocent of the least disposition to offend, will clear the galleries of the senate, without the agency of the sergeant-at-arms—for no *freeman*, who has a moderate share of respect for the representatives of the people, or for himself, will place himself in a condition in which he may be treated like a felon, because he happens to laugh or make a little noise, inadvertently, as those who are below him oftentimes do. These exertions of "brief authority" should be abated. The general disorderly congregations of individuals, who make up even the always enlightened house of delegates of the state of Maryland, for an example, pushing about in all directions, with hats on or hats off, and loudly talking about what they please—require stillness in the lobby, hats off, and conversation in whispers. If they claim the respect of the people, let these men respect the people. We shall endeavor to "reform" this impudence, in the season for action upon it. We knew not of its existence until at a late period in the last session, or should have brought it before the "bar of the public reason" long ago. We will not lift our beaver, in the presence of any man in America who requires it, and refuses a return of the compliment, unless through the application of force that we are unable to resist by force. There is a sort of puppyism in it, that we will not quietly submit to.

We have briefly referred to the attention paid to Messrs. *McDuffie* and *Preston*, in Philadelphia. Several public dinners were given, and innumerable marks of public respect paid to them, by multitudes of the people. That peaceable city was thrown into a state of much bustle and agitation—all other considerations being apparently merged in the great questions which involve the business and prosperity, labor and profits, liberty and safety, of its industrious inhabitants—as they believe.

The enthusiasm of the people was much increased by the arrival of Mr. *Webster*, on his return to Washington. Masses of the population continually pressed round about him; and he was forced to address a great multitude at the Exchange. His remarks were, of course, strong, and received with shouts of approbation, by the venerable aged and ardent youth gathered together.

On Saturday evening, last Messrs. *Webster*, *McDuffie* and *Preston* were expected to arrive at Baltimore, and, though it rained, about two thousand persons spontaneously assembled on Bowley's wharf to receive them. On the arrival of the steamboat, it was said that neither were on board, and many departed for their homes and places of business; but it was discovered that Mr. *Preston* was among the passengers, and he was called upon to address the people. He commenced from the steamboat, but the cry of "to the exchange" became general and loud, and, in a few minutes, 2,000 persons were in or about the building. Mr. *Preston* soon appeared, and delivered a brief but very animated address and exhortation, which was received with peals of applause that shook the lofty dome—the crowd being in a state of feverish excitement.

On Sunday, as it was, Messrs. *Webster* and *Binney* arrived in Baltimore, that they might be present in Washington on Monday. It had been given out that they would not come that day, perhaps to prevent the gathering of a crowd; but the people, by thousands, assembled on the wharf. Mr. *Webster* being called on, made a few animated remarks from the boat, and with a view of dismissing the "friends of the constitution" assembled to meet him. But they would not be dismissed. They formed into a solid body, filling the whole street, and marched up

to the City Hotel. Mr. *Binney*, less personally known to the people than Mr. *Webster*, nearly effected an escape; but he was recognized and taken into the possession of an enthusiastic multitude. When arrived at the hotel, hardly less than five thousand well dressed persons, very many of them elderly men and of lofty standing in society, were assembled in front of it, and the gentlemen were successively called on to offer a few words of exhortation. They appeared (though with evident reluctance), and addressed the assembly, with much animation and electrical effect. The people were highly excited and oftentimes cheered, but in a subdued tone of voice; and, Mr. *Binney* having concluded, the crowd retired in an orderly and respectful manner, having cheered the gentlemen on their departure for Washington.

We happened to see both these assemblages of the people—one of them accidentally. We have seen many like gatherings in large cities—but never before witnessed so much earnestness and animation among those classes of persons who attended.

Detailed accounts of the proceedings of the people at various places, and with reference to the late elections in New York—or the more recent protest of the president of the United States against a certain resolution of the senate, would overflow many as closely filled sheets as our numbers of the REGISTER! We must suffer them to pass, with a multitude of speeches, addresses, letters, &c. by or from distinguished individuals, the like of all which we never saw or heard of before. We have passed through several seasons of high excitement, and mixed much with the people, and felt and acted freely with them, at different times, since the year 1797; but a degree of animation now prevails, or is about to prevail, which goes beyond that of past times, and may be considered an augury of exceedingly important public events. And this animation and excitement is hourly increased by the new difficulties experienced in business, and the greatly increasing number of persons cast out of employment. More than 70,000 spindles have been stopped in the neighborhood of Providence, Rhode Island, only; the Union manufacturing company of Maryland have stopped both their great cotton mills, and discharged several hundred persons—another large establishment in the neighborhood is doing only half work, that the people may earn something, and others must soon follow this lead—and a large number of mechanics are without work. All these things add to the excitement. We hope that it will be, every where, and on behalf of all parties, restrained, by just observances of the constitution and laws of the land, and solemn determinations to preserve the public tranquillity, by bearing and forbearing, and rendering such assistance or accommodation to one another as may be in the power of the people, to sustain each other's credit, or relieve each other's wants; and especially with relation to the worthy and industrious of working classes, too generally dependent on their daily labor for actual subsistence.

There was a mighty meeting of the people, and such a feast as was never before prepared in the United States, held near Philadelphia, on Tuesday last, as a rallying "to support the constitution," and "in honor of the late whig victory at New York," a very large delegation from that city being in attendance, bringing with them their frigate rigged and highly finished boat, called the "*Constitution*," which had been passed through the streets during the "three days." The arrival of the steambot with this delegation on board, and the procession that was then formed, are described in glowing terms. The whole number congregated was supposed not to be less than fifty thousand, multitudes attending from adjacent parts of Pennsylvania, New Jersey, Delaware, &c. Many cattle and other animals had been roasted whole, and there were 200 great rounds of beef, 400 hams, as many beavers' tongues, &c. and 15,000 loaves of bread, with crackers and cheese, &c. and equal supplies of wine, beer and cider. This may give some idea of the magnitude of the feast. *John Sergeant* presided, assisted by a large number of vice presidents, &c. Strong bands of music played at intervals, and several salutes were fired from the miniature frigate, which were returned by heavy artillery provided for the purpose, &c. Several speeches

were delivered, and a number of regular toasts drunk. At the close of the meeting, nine cheers were given for the "whigs of New York," and the people then, in procession, escorted the delegates from that city to their quarters, and dispersed themselves in peace. On Wednesday a public dinner was given to the New York delegation, &c. Among those who addressed the meeting, was Mr. W. J. Duane.

On Wednesday afternoon a great meeting of the people, certainly the largest that ever assembled in Baltimore on any like occasion,\* was held in Monument Square, to adopt certain proceedings with a view of expressing the opinions of the citizens on the late protest of the president of the United States. That venerable soldier of the revolution, and much valued and long useful citizen, gen. *William McDonuid*, presided, assisted by many vice presidents, &c. The multitude was addressed by *John P. Kennedy*, *Charles C. Harper*, *Josiah Jones* and *John V. L. McMahon*, esqs. and it is not a little remarkable, (though purely accidental, as we are informed), that each of those gentlemen, in times not long past, were among the most zealous and distinguished supporters of the present president of the United States. A series of resolutions was passed, repudiating the doctrines of the protest and sustaining the senate, and others for the formation of a "state whig society," &c. But all that we can do is to mention such proceedings. If our whole sheet was given up to the insertion of like doings, it would contain only a small portion of them!

We regret to add, that some violent actions were had, with an evident design to disturb or break up the meeting, by persons who had not been invited to attend it—but they were resisted and put down. Surely, every sect or party, religious or political, may assemble together, for the better support or further extension of their own particular opinions—and, if persons holding different opinions attend, uninvited, every principle of common sense, and of respect for themselves, should induce them to remain peaceable. Without the exercise of such mutual regard, our churches, as well as primary assemblies of the people, must be rendered places for battle—for neither party ought or will submit to such interferences. In the perfect freedom which all are entitled to enjoy, there is the best motive of the human heart to protect that freedom in others, that it may be safe for themselves. As decency begets a respect for decency, so does violence beget a spirit of violence, and the end is anarchy unrestrained.

Salutes of one hundred guns are much in fashion, in the eastern states, and several have been fired on account of the result of the New York election, at different places—but we should not have mentioned them, now, perhaps, but for the following incidents:

When the deposits were removed from the office of the bank of the United States, at Portsmouth, N. H. the "democrats" fired a salute of one hundred guns—and when the news of the New York election reached that city, the "whigs" fired a salute of one hundred guns. So far the account was fairly balanced! But in the evening of the day of the latter occurrence, the "democrats" made a great fire of tar-barrels, and burnt certain effigies which were called *Webster*, *Clay*, &c. and then the mob proceeded to attack the United States bank, and tore off the sign, eagle, &c. and burnt them, *likewise!* Some of the rioters were armed, and they drove off the peace-officers and kept-it-up all night. The end is not in these proceedings.

Talking about riots, there was a pretty fair specimen of one in Baltimore, on Tuesday evening last, in South street. Some young "whigs" had met to form a military association, and were attacked by the "democrats"—but the mayor and his posse interfered, and not much harm was done. If it is in this manner that political questions are to be settled—we may well tremble for our country, though resolved to meet the dreadful state of things imposed on a peaceable population. Those who concoct such things have much to answer for, and should

\*About ten thousand, (according to measurements of the ground), including, of course, all strangers, as well as some persons unfriendly to the call of the meeting, &c.

be held *directly* responsible, when dragged forth from their concealments—responsible to *public opinion*, to the *law*, or the operation of such *force* as they had prepared the action of on other persons.

The ardency of the public feeling hourly increases—and its influence is extending with accelerated force over all parts of the country. The result of the *New York* election, with the now relied on issue in *Virginia*, have given fresh courage to one party, and even increased the zeal of the other, whose strength is said to be weakening—but these are matters in which we do not interfere. It may be observed, also, that the "anti-Jackson" party are generally assuming the appellation of "whigs"—to this no objection ought to be made, seeing that the "Jackson" party exclusively assumed to itself the "democratic" name; but we think it unjust, and surely inexpedient, for the first to apply the term "tories" to their opponents, though the other side has freely used that of "federalists" in the way of reproach.\* "Every good rule works both ways." And, whatever may be the secret purposes or private motives of individuals prominent in the fields of political controversy, the great body of the intelligent members of every party must needs be honest, and ought to be so regarded. The present chief causes which agitate the public mind we do not think, however, should be considered as mere party questions. They involve a condition of things infinitely more important than the upholding of this man, or putting down of that—and new principles of action are pressing themselves on the public attention, in the wreck of confidence, derangement and loss of business, and alarming deficiency of employment for laboring persons, the effect of which no man can yet at all appreciate; and there is a degree of feverishness among the people on these, and other accounts, that indicates a still much worse state of things. Moderation, with firmness, and proper degrees of bearing and forbearing, may relieve present prospects, and restore the nation to the peaceful and prosperous state which we lately enjoyed.

The "Globe" of Tuesday last makes certain "hits" at me—which, for the reason that it is the "official" paper, I shall briefly notice.

The short article in the last REGISTER is quoted, which begins thus:

"It is quite plain, we think, that a great crisis in the history of our country is rapidly approaching, and, perhaps, is closer at hand than is generally apprehended. Things cannot remain and stand still—as they are. There must be a forward or retrograde movement! The usual political questions of parties are merging into personally interesting, or yet loftier considerations," &c.

It is not surprising that the publisher of certain anonymously-murdering-letters should have discovered contemplated breaches of the peace, in this article! The "official" editor knows no more of my principles and practices, than he does of my birth place, to be noticed below. I never, in my whole life, counselled or knowingly excited or aided, in any manner whatsoever, a breach of the public peace, nor encouraged partizans to do what I myself was unwilling or ashamed to do. My education, habits and poor capabilities, have confined me as well to defensive propositions as defensive proceedings. The matters suggested had relation only, and exclusively, to the growing pressure on the money market, and want of employment for laboring men. I had just been informed that several heavy failures were feared, and of large amounts of working people about to be discharged. The first has not yet happened, and I wish that it may not; but the latter is in powerful operation, in this city and its vicinity. I did apprehend, however, that the people, rendered "mad" by the want of subsistence or a waste of means, might commit acts of violence on persons and property, and so lead on to unhappy, but at the same time unpremeditated, events. I do seriously apprehend this. The want of employment has prepared many for a high state of political excitement, and action.

In the same number of the REGISTER it is said that I "complimented" Mr. *McDuffie*, in simply stating the fact, that he and others had been received with "flatter-

ing attentions" at Philadelphia. I paid no other "compliment" than this. Was it not so?

The "Globe" next makes some extracts from a speech of Mr. *McDuffie*, in which he quoted a few sentences from the REGISTER.

That proceeding was promptly met at the time—and it is not at all necessary to recur to it now.

But—would it have been sinful to have complimented Mr. *McDuffie*? Are hard words, used in the heat of discussions, to remain as perpetual barriers between individuals, and on all subjects? If so—what would be the relation between president *Jackson*, and my old brother editor, Mr. *Ritchie*? I have often heard the personal opinions of the former concerning the latter—and every body has seen the prophecies of Mr. R. as to gen. *Jackson's* election to the presidency. And how would it be with nearly every person who now is regarded as of the most faithful and familiar friends of the president? It is the fashion of the "organized press" of the present day, to call every man an "apostate," "turncoat," &c. if changing his political opinions against the policy which the president is pleased to prescribe—but the "organized" should recollect that changes to their side are as well the acts of apostates and turncoats! Thus, if a person leaves one religious society and joins himself to another, his old associates may consider him a *renegade*, but the other respects him as a *saint*. The difference between *revolution* and *rebellion* is only in the success, or want of success, as may happen—and

"Treason has never prospered—what's the reason?"

Why—when it prospers none do call it treason?"

And it is possible, also, that we may hate nullification less than consolidation.

The last paragraph of the "Globe" concludes thus, speaking of the editor of the REGISTER—

"Thank God he is not an American by birth. He has not the heart of an American."

*Finis coronat opus!* As to the land of my nativity—my paternal grandfather, as I have always understood, was born either at "Upland" or Philadelphia—my father at Philadelphia—myself near the banks of the Brandywine, and a few days after my mother had narrowly escaped with her life from the bayonet of a British soldier, who bravely attacked her, just previous to the battle. My father's brother (also born in Philadelphia), died not long ago in that city of extreme old age; and it is now one hundred years since the time of his birth. My mother was born at Wilmington, Del. about eighty-five years ago, and was of the family of the *Ways*, distinguished among the companions, disciples, or followers of *William Penn*.

Of my "heart" I shall say nothing—except to thank heaven that such persons as the editor of the "Globe" have no part in, or influence over it.

The following queer paragraph appears in the Philadelphia "Sentinel"—the "by authority" paper—

We understand, that there will be no election for a member of congress in the room of Mr. *Lawrence*, the newly elected mayor of New York, until November next. By that time, there is reason to hope, that the extraordinary political excitement, which now prevails in our sister city, will have subsided, and the selection of a suitable successor be calmly and dispassionately made.

This idea must have been matured in the same shop in which the notion was entertained of postponing the charter election of Albany, until a more "convenient season."

The "Pennsylvanian" speaking of the senate of the United States, says—

"The democrats never heartily sanctioned it, and now, having the power, should amend or get rid of it once and forever!"

And then cautions the senate against refusing to pass the appropriation bills, adding—

"Let them, if they dare, and hasten the bursting of the storm which is already lowering above their heads. They have yet to learn to what an indignant people may be aroused."

We hope that the sedate and peace-loving editor of the "Globe," will take the editor of the "Pennsylvanian" in charge—lecture him soundly, and tell us from whence he came, and when, and who he is.

Our old friend of the "Richmond Enquirer" is thrown upon two horns of a dilemma by the president's pro-

\*Though a name in which several of those who stand nearest the president have gloried.

test, and is in the same "fix" that the proclamation placed him in—that of being compelled to argue on both sides. If we had room, we should give his essay of Tuesday last, for it is, indeed, a *funny* one. When his rudder escapes Seylla, the prow is in danger of *Char-ybdis*; and there is no "middle way" of safety unless in the craft of the *ink-fish*, which sometimes conceals itself, and escapes, by *blackening* the space that it holds in the sea.

**John H. Eaton** has been appointed by the president of the United States, with the advice and consent of the senate, to be governor of the territory of Florida, to succeed governor *Duval*, whose term of service has expired. The nomination, made to the senate some days ago, was confirmed yesterday. [*Nat. Int. Ap. 25.*]

**RHODE ISLAND.** Mr. Francis, being supported by the anti-masonic and administration parties, has been re-elected governor of this state, by a majority of about 125 or 150 votes. Last year his majority was 749. The political character of the legislature is disputed.

**CONNECTICUT.** Contrary to first reports, it appears that, by the division of the votes between three parties, Mr. Foot has not been elected governor, by the majority required. He wants from 40 to 60 votes. So the choice devolves on the legislature.

**NEW YORK, (CITY), ELECTION.** The following is published as shewing the official returns of votes, at the late election:

Wards.	Mayor.		Aldermen, &c.	
	Verplanck.	Lawrence.	Whigs.	Tammany.
1	1,516	588	1,469	572
2	1,134	531	1,117	510
3	1,224	684	1,221	665
4	1,317	1,093	1,239	1,147
5	1,303	1,175	1,266	1,191
6	790	1,103	825	1,033
7	1,418	1,500	1,484	1,483
8	1,841	1,769	1,820	1,725
9	1,201	1,453	1,239	1,378
10	1,344	1,588	1,282	1,550
11	1,128	1,959	1,072	1,974
12	506	950	656	830
13	885	1,346	891	1,307
14	973	1,120	951	1,083
15	914	614	903	614
	17,394	17,575	17,314	17,062
		17,394	17,062	

Tammany majority, 181                      252                      average whig maj.  
 [The vote at the electoral election of 1832 was—Jackson 18,020, anti-Jackson 12,506.]

**NEW YORK.** *House of assembly, April 19.* Mr. Gansevoort reported in favor of the bill from the assembly relating to the city of Albany.

Mr. Livingston moved to refer this bill to the attorney general for his opinion in relation to the constitutionality of that section which authorises some officers of the city of Albany to hold their places for six months after the time for which they have been elected by the people shall have expired. His present opinion was, that if they could be legislated into office for six months, they might be so continued in office for any length of time.

The motion to refer to the attorney general was adopted.

[It is said that the object of this bill is to continue certain persons in office, to avoid a popular election, at the present time—the period fixed in the charter for choosing them being close at hand.]

On another day, in the assembly—  
 Mr. Humphrey offered a resolution directing the committee on the militia and the public defence to inquire into the expediency of removing the state arsenal from the city of New York, and selling the lot on which it is situated.

Mr. H. said that recent events had demonstrated that the arsenal situated as it was in the centre of the city of New York, was not a safe depository of the public arms and ammunition. It was evident that at any time an excited mob might get possession of the arsenal and turn the arms intended for the protection of the whole against one portion of our citizens. There was no object of public utility to be answered by retaining them where they were. For all purposes of supplying the militia, an

arsenal thirty miles off would be as valuable and convenient as one in the centre of the city. He trusted that extended remarks were not necessary on this subject. It must force itself on the judgment of every member of the house, that it was unsafe to place arms and ammunition where they might be seized by a mob under any pretext which they might choose to assign at a moment of excitement. It was owing to a merciful interposition of Providence in assuaging the passions of a multitude, that the city of New York, was not very recently the theatre of a scene of slaughter that would have disgraced this country forever. He hoped that another opportunity would not be suffered to pass by without guarding against the recurrence of such a calamity in future.

Mr. Myers said he had no objection to the reference, as it proposed simply an inquiry. He conceived it to be a libel on the citizens of New York, to say that they were not to be trusted with arms and ammunition in the centre of the city. The great mass of the people ought not to be held responsible for the acts of the few excited persons who recently broke into the arsenal. Such scenes as the gentleman had referred to, were uncommon, and peculiarly so, considering the very great number of the inhabitants of the city. Still he could not object to an inquiry, and he was in favor of having a report on the subject.

The resolution was then adopted.

**NEW JERSEY.** The local elections in this state, as referred to by Messrs. *Frelighuysen* and *Southard*, in the senate, are said to shew a great revolution in public opinion.

**PENNSYLVANIA.** The following resolutions were adopted unanimously in the legislature of this state:

*Whereas*, an application is now pending in the congress of the United States, for the repeal or reduction of the duty on Nova Scotia and Liverpool coal; therefore,  
*Resolved by the senate and house of representatives, &c.*

That in the opinion of this legislature, the repeal of the duty on foreign coal would be against the best policy of the country, and particularly injurious to the interests of the people of Pennsylvania; and that if any alteration be made in the tariff of duties upon these articles, it should be rather increased than diminished.

*Resolved*, That the governor be requested to transmit a copy of the above resolution to each of our senators and representatives in congress, as an expression of the opinion of the legislature of Pennsylvania.

So the legislature of Pennsylvania, two years ago, passed resolutions in favor of rechartering the bank of the United States!

**VIRGINIA.** The "National Intelligencer" gives what it calls a corrected table of the return of members of the house of delegates, so far as received—and shews that 25 administration and 39 "opposition" members have been chosen. The whole number is 134. It is said—of those who yet remain to be heard from, that a decided majority is anticipated in opposition to the recent measures of the administration.

[We have some further accounts from Virginia. Several more counties are reported against the administration, two of which are changes. Even Culpeper, the late "brag" county of Mr. Ritchie, is against him—375 to 359. Mr. R. expected, at least, 500 votes in this county, and said that Mr. Hill, (the unsuccessful candidate), was the "very strongest man" in it. But the "protest" arrived on the day of the election, and capsize all calculations that had been made on Culpeper. It is the opinion of well informed men, that, if the protest had been published and spread through the state before the elections commenced, the friends of the administration, in the next house of delegates, would have been "like angels' visits—few and far between."]

BANKS—CURRENCY—AND THE TIMES.

The very respectable directors of the bank of Potomac, and Farmers bank of Alexandria, have given notice, under their hands and seals, that they jointly and severally have bound themselves, and their heirs, &c. to guaranty the payment of all notes issued by said banks, or claims against them, on account of deposits or otherwise—which guaranty extends to the period for which they have been elected. This proceeding will do much to quiet the public mind concerning these banks.

A similar guaranty has been made and proclaimed by the directors of the bank of the Valley of Virginia, at Leesburg.

The following shews the state of the currency, at Louisville, Kentucky, on the 12th instant—

United States bank notes, wherever payable—par; bank of Kentucky and Commonwealth bank 15 per cent. dis. Tennessee, best 2½ dis. others 5 dis. Ohio, notes of many banks not received—others 2½ dis. Virginia, all the banks, 2½ dis. Mis-

Mississippi, all the banks, 10 dis. Louisiana, do. 5 per cent. dis. Pennsylvania—many uncertain—Girard bank 2½ dis. Indiana, (one bank), 2½ dis. Michigan 2½ dis. Alabama, all the banks 12 discount.

The Washington Globe lately said the friends of the constitution, (meaning the friends of the administration), will not compromise with their consciences and oaths, by conjuring up alternatives. They have no alternative, but to go resolutely against a national bank, by whomsoever proposed, and in whatsoever form. This is plain English.

George Brown, esq. having resigned the office of president of the Mechanic's bank of Baltimore, with the view of giving his attention to the affairs of the house of Alexander Brown & Sons, which devolved upon him by the death of his father, the board of directors of that institution have unanimously elected John B. Morris, esq. president in his room, and passed a well deserved and highly complimentary resolution concerning Mr. Brown.

It is known that large quantities of specie have lately been imported into the United States. Nearly the whole of it, however, it appears, belongs to the bank of the United States. The Philadelphia National Gazette of Saturday says—"We understand that there has arrived, since October last, at the ports of New York and Philadelphia, no less than two millions three hundred thousand dollars for the bank, and that six hundred thousand more are expected—making an aggregate of nearly three millions; so that the bank itself is the real introducer of specie in those ports."

On the 19th of March, 1816, Alexander J. Dallas, then secretary of the treasury, in a letter to congress, on the national currency, made the following important declaration, founded upon actual practical experience:

"I cannot conclude this letter," says Mr. Dallas, "without an expression of some solicitude at the situation of the treasury. The state banks have ceased to afford any accommodation for the transfer of its funds. The revenue is paid in treasury notes, where treasury notes are below par; and the public engagements can only be satisfactorily discharged in treasury notes, which are immediately funded at 7 per cent. &c. Discount and speculations are abroad; and all the estimates of the amount of the funded debt, created since the commencement of the late war, will probably fail, unless the wisdom of congress shall effectually provide for the restoration of a uniform national currency."

Mr. Dallas, in his annual treasury report to congress, on the 6th of December, 1815, observes:

"Of the services rendered to the government by some of the state banks, justice requires an explicit acknowledgment. It is a fact, however, incontestably proved, that those institutions cannot at this time be successfully employed to furnish a uniform national currency. The failure of an attempt to associate them with that view has already been stated. Another attempt, by their agency in circulating treasury notes, to overcome the inequalities of the exchange, has only been partially successful," &c. "The truth is, that the charter restrictions of some of the banks, the mutual relations and dependence of the banks of the same state, and even banks of different states, and the duty which the directors of each bank conceive that they owe to their constituents, upon points of security or emolument, interpose an insuperable obstacle to any voluntary arrangements, upon national considerations alone, for the establishment of a national medium through the agency of the state banks."

A great deal of suffering has been caused in Baltimore on account of the sudden and unreasonable depression of the current value of the notes of the banks of Virginia—as sound and wholesome, we believe, as those of any other state. A very large part of our common circulation was in these notes. Some were, partially, received in certain of our banks, and the rest used for the discharge of debts and bills not payable in bank, and fifties of thousands of dollars in them changed hands every week, being turned over and over and over again. The baker and the butcher and the grocer, and store-keeper received them as par money, and so they were paid out to working people of every description as a sound currency, which might be converted into bank currency, at 1 per cent. loss only, or a little more. But few of these notes were sent home by those who dealt in them. The brokers exchanged, at their own counters, in one way or another, the amounts received by them; and they were preferred, at a small rate of discount, by those who brought in Virginia flour, cattle, &c. But when the high discount of 5 or even 10 per cent. was demanded, the people fought against and rejected them, and their circulation was only at or from the brokers' offices; and the bank money of the brokers was soon swallowed up in purchases of them, to be relieved only by time and expense in sending them home. It is not easy to fix a probable amount of "Virginia money" circulating in Baltimore and its immediate vicinity, a month ago—but if we said 200,000 dollars, we think that it would be below the real sum. The effect of the sudden retirement of such a large amount from the continually-moving business of the people, superadded to the general want of currency, may be easier anticipated than described.

The Williamsport Banner states "that the Chesapeake and Ohio canal company have resolved to issue its own notes in payment for labor, &c. on the canal. These notes will be re-

deemed in twelve months, with interest at 4 per cent. (by the sale of the stock of the state of Maryland, and the District corporations) which are to be conveyed to trustees for that purpose. They will also be received by the canal company in payment of all debts due to it, and likewise for tolls. This measure has been resorted to by the company because it was found impracticable, under the existing state of the money market, to convert the stocks it held into money, without great loss."

We have reports of a pressure on the money market at New Orleans that are too extravagant to be believed. They would imply that a season of almost universal bankruptcy had been arrived at.

Rates of discount, &c. on bank notes at Philadelphia, April 19—broken banks, in all cases, excepted. Banks of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut and Vermont, 1½ a 2 per cent. discount; New York (city) par a 1; Pennsylvania 2 a 4; New Jersey, several at par—others 1 a 3; Pennsylvania, country banks—several at par, others various, from 1½ to 5; Delaware, at par a 1; Maryland—Baltimore notes, par a 1—country banks 3 a 5; District of Columbia 5 a 10; Virginia 5 a 10—except Wheeling 3 a 5; North Carolina and South Carolina 3 a 5; Georgia 5 a 10; Ohio 3 a 10; Kentucky—Louisville 4 a 6—other 13 a 16; Tennessee 4 a 6; Alabama 7 a 12; Mississippi 7 a 10; Louisiana, at New Orleans, 5 a 8; Michigan 3 a 5; Indiana, Illinois, &c. no sales. Canada banks 6 a 8. These rates are charged on what are called the notes of "specie paying banks"—and the excessive amount of them shows a great scarcity of money, with much want of confidence; for surely, without disparagement to the Philadelphia banks, others are equally solvent, and as able to meet their engagements.

The Globe says—"We learn that on the 7th, 8th, 9th, 10th, 11th and 12th of this month, \$1,292,135, was imported into one city north of us. This shows how readily our commerce may supply specie currency for general circulation."

But the Journal of Commerce remarks—"A man may die readily after being beaten until his senses are benumbed. And it is with such a readily that specie is now importing. It is the consequence of an agony in the money market, which forced down the price of exchange lower than it had been for twenty years, which stopped importation, and indeed, suspended all business. We beg to be delivered from these ready operations."

And we add—the money chiefly, if not in its whole amount, belongs to the bank of the United States, who is arming herself for yet worse times, or preparing to make a large profit on the sale of specie, when commerce, in better times, shall require the use of it. Specie is under par, from the want of means to purchase it—that is, because of the low price of commodities and labor in the United States, or the surplus of both.

The Girard bank, Philadelphia, will cease to receive the public deposits on the 1st of July, ensuing.

It is officially announced that the Farmers' bank of Catahoochee, at Columbus, Georgia, has failed.

The "bank of Salisbury," on the eastern shore of Maryland, has failed.

Last week's list of applications for the benefit of the insolvent laws contain 16 names—one of which is from a colored man and two from Baltimore county, leaving 13 for the city. We can identify only three persons on this list; but the names of three of them are found on the "no pressure" memorial from Baltimore.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

April 18. The chair communicated certain resolutions of the legislature of the state of Pennsylvania, on the subject of a general standard of weights and measures; which was read and referred.

Mr. Kent, of Md. presented a memorial from citizens of Prince George's county, favorable to the restoration of the deposits, which was read, referred, &c.

[Mr. Kent, on this occasion, pronounced a long and able speech, which would be gladly made room for—in times less busy than the present.]

Mr. Wright presented five memorials from citizens of the towns of Pittsford and Seneca Falls, and the counties of Rockland and Rensselaer, opposed to the restoration of the deposits, which were referred, &c.

The senate then resumed the consideration of the unfinished business of yesterday, being the motion not to receive the message of the president of the United States on the subject of the resolution of the senate of the 28th ult.; when

Mr. Rich addressed the senate for about two hours. He had (in reply to Mr. King, of Alabama, who had claimed for the present the merit of adjusting the tariff question), just paid an incidental compliment to Mr. Clay and Mr. Letcher for the agency they had in adjusting the tariff question at the last session, when he was interrupted by loud plaudits in the gallery.

The chair suspended the discussion, and ordered the galleries to be cleared.

While the sergeant-at-arms was in the act of clearing the galleries the noise was repeated; whereupon

Mr. Benton moved that the persons who were disturbing the senate should be taken into custody.

Mr. Moore doubted the propriety of the motion, considering it utterly impracticable. The galleries were clearing as rapidly as possible, and he was not disposed to vote for the motion.

Mr. Clayton said, that he regretted the motion had been made; but since it had been, he would vote against it. The gentleman from Missouri placed it on the ground of a contempt of the senate—he did not view it in that light; but as an indirect expression of public opinion; he would not consent that the senate should array itself against the people.

Mr. Benton would not be misunderstood. He did not move to take into custody those who, in an unguarded moment, applauded the sentiments uttered by the senator from Virginia, but those who, long after that gentleman had taken his seat, continued to outrage and insult the senate.

Motions were successively made to adjourn, and to lay Mr. Benton's motion on the table, which were respectively declared out of order by the chair.

Messrs. Calhoun, Poindexter, Ewing and Bibb, severally opposed the order on the ground of its impracticability, its unconstitutionality, inasmuch as any such order would be a general warrant of arrest, which could not be legally issued, as all warrants emanating from the senate, to be within the pale of its constitutional power, must designate the person and the offence committed. A general warrant could not be issued in any free country. The interruption in the galleries was regretted and condemned; and, while the power of the senate to protect its own deliberations was fully maintained, the idea of carrying it to excess was as freely rejected.

Mr. Benton hoped that those who heard him and those who were taking notes, would not represent him as making a motion for a general order of arrest. He then withdrew his motion, assigning as his reason that the people were all gone.

Mr. Leigh then resumed and concluded his remarks; when Mr. Ewing obtained the floor, but forbearing to proceed at so late an hour, yielded the floor for the present; and

Mr. Wilkins then moved the senate to proceed to executive business.

Mr. Clayton opposed the motion on the ground that it did not become the senate to transact any other executive business until the present debate was terminated, and the communication of the president disposed of.

Mr. Wilkins explained, that his only reason was to consider a treaty which would require ratification in a few days, and then withdrew his motion; when the senate adjourned until Monday.

April 21. A message was received from the president of the United States, explanatory of some of the expressions and arguments contained in his message and protest, communicated last week, which was read. [This message will be found in a subsequent page]. It gave rise to an animated debate, in a discussion growing out of the original message, and this amendment to it. Mr. Poindexter rose and said he desired to make the same motion in regard to this, that he had made relative to the original message; he moved to lay this on the table, and would send to the chair the following resolutions which he offered as a modification of his original motion, that the paper be not received, and which he moved to print.

The resolutions were then read as follows:

"Resolved, That the president, in transmitting the paper which he did to the senate, on the 17th instant, which he requested to be placed on its journals, as an executive protest, against a resolution passed by the senate, made a communication not authorised by the constitution, nor warranted by that mutual interchange of communications which the discharge of official duties render necessary and proper between the legislative departments of the government.

"Resolved, That the president, in the paper above referred to, assumes powers in relation to the senate not authorised by the constitution, and calculated, in its consequences, to destroy that harmony which ought to exist between the co-ordinate departments of the general government; to interfere with the senate in the discharge of its duties; to degrade it in the public opinion; and finally, to destroy its independence, by subjecting its rights and duties to the determination and control of the chief magistrate.

"Resolved, That the communication of a paper of such a character, with the declarations that accompanied it, is a plain, an open breach of the constitutional rights and privileges of the senate, and that it cannot be received by the body, without a surrender of the just powers confided to it by the constitution, in trust, to secure the liberty, and promote the prosperity of these states, and which the members are bound to maintain under the sacred obligations of an oath.

"Resolved, therefore, That the paper be not received by the senate."

A debate of some length then ensued, upon the supplemental message of the president, and Mr. Poindexter's motion, in which Messrs. Preston, Forsyth, Ewing, Poindexter, Clayton, Webster and Clay participated.

The supplemental message was then laid on the table, and the senate proceeded to the special order of the day, being the motion of Mr. Poindexter, that the president's protest be not received, as modified by his resolutions.

Mr. Ewing took the floor and spoke at length in support of the motion, and the resolutions, and when he concluded, Mr. Keene rose to speak to the question, but gave way to

Mr. Wilkins, who moved to go into the consideration of executive business; which motion was disagreed to.

Mr. Forsyth said, before the senator from Illinois proceeded, he wished to make a motion by way of amendment, and accordingly moved as an amendment to the resolutions, after the

words "passed by the senate," in the first resolution, to insert the protest at length, and also the supplemental message.

Mr. Leigh asked whether he was to understand that the mere motion of the gentlemen from Georgia, would have the effect of spreading the protest on the journal.

The presiding officer, (Mr. King, of Ala.) replied that it would.

Mr. Bibb then objected to the motion as being out of order, inasmuch as it went to defeat the very intention of the resolution.

Mr. Calhoun thought it a very novel case. The object of all rules was to carry into effect the intention of the body, and the very point under debate was whether the paper should go on the journals. He, therefore, submitted whether the main object could thus be defeated by a side movement.

Mr. Forsyth desired to incorporate the true character of the message in the resolutions, in order that both might be presented together.

Mr. Calhoun then insisted that Mr. Forsyth's motion be referred to writing in accordance with the rules.

Some conversation then took place between Mr. Clayton, Mr. Clay, and the secretary, about certain alterations alleged to have been made in the protest after it had been presented to the senate—the printed copy not being identical with the manuscript message.

The secretary being called on to explain that matter, stated that the private secretary of the president, Mr. Donelson, called on him the day following the presentation of the message, and desired to make a few verbal corrections of errors, which existed in the message. But the secretary believing that he had no authority to allow any, the least alteration to be made in the paper, told Mr. Donelson so, who was perfectly satisfied with the answer. The secretary afterwards made pencil marks of the corrections suggested by Mr. Donelson, above the words in the manuscript proposed to be struck out, which now appear on the paper.

Mr. Forsyth then sent to the chair the original paper, as his motion reduced to writing, in accordance with the requisition of Mr. Calhoun to that effect.

Mr. Poindexter and Mr. Calhoun then objected that the document itself could not be so used—that it was out of order. The chair decided that it was in order.

Mr. Calhoun then appealed from the decision of the chair. Mr. Webster approved of the appeal. If the motion was rejected, the gentleman from Georgia might put the document in his pocket, and move off with it. It was our own document, not that he had any particular desire to have it, but he would rather have it in our own power. The gentleman had no right to the document of the senate.

Mr. Preston said, it was remarkable how gentlemen contrived to make one document perform so many offices. One day it was a protest—another an answer. And while in discussion here, it assumes another shape by the interposition of the private secretary of the president, and now it is an amendment to a resolution.

Mr. Calhoun said he would not hesitate to withdraw his objection, if the gentleman from Georgia would withdraw his motion, and send the paper back where it came from.

Mr. Forsyth said he might suppose from the manner in which his motion had been treated, that gentleman intended to deprive him of his right to have his proposed amendment on the journals. The rules of the senate did not require him to have his motion written out expressly for the purpose; for if he should be required to copy the message, it would take him several hours, and the time for offering it would pass away. The gentlemen were to use it as a means of invective against the president, and he (Mr. F.) was not to be permitted to use it in his defence. As respects the alleged alterations, he would say, that the paper was the president's till it was received by the senate, and he had a right to alter it till it was received by the senate. And what were the alterations? Was there any attempt at fraud or covertly effecting them? The president did not desire, nor was he inclined to shrink from anything that he had ever said or done, either here or elsewhere.

Mr. Frelinghuysen then moved that the senate adjourn; which was agreed to on a division of 19 to 18.

The senate adjourned.

April 22. The chair communicated the annual commercial statements from the treasury department.

Mr. Webster rose and said, it would be remembered that not long before he left his seat, on leave of absence, he had had the honor of presenting a memorial from citizens of Albany, complaining of recent measures of government. He had been authorized on that occasion to state, and had stated, that the number of signers was about 2,800. He soon saw that this statement was denied, and that only thirteen or fourteen hundred names were on the memorial; and the gentleman from New York, Mr. Wright, alluded to this apparent deficiency. This mistake arose from a long roll of names being left out of the package handed to him. This omission has been supplied, and, to be sure against further error, he had asked an officer of the senate to have these additional names counted, and he certifies them to amount to 1,455. Here they are, sir—the original signatures, and here comes with them a regular affidavit, verifying the paper and accounting for the omission. This makes up, sir, the number as originally stated; and I hope will be satisfactory. If it should not be, and if it would give gentlemen any gratification to receive an additional five hundred, or thousand names.

he imagined little pains would be necessary to furnish them that gratification.

Mr. President, (said Mr. W.) in one of those unrivaled speeches of Mr. Burke, in which he indulged his admiration of America, he says, when speaking of the growth of our population, "whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that, state the numbers as high as we will, while the dispute continues the exaggeration ends. While we are discussing any given magnitude, they are grown to it."

Sir, a similar sentiment would be just, in regard to the numbers among our fellow citizens, who are rallying to oppose the recent measures of government. State the numbers as we will, if the statement be not true to-day, it will yet probably be true to-morrow.

Mr. Wright rose to move the printing of the names. He added, that the senate would do him the credit to say, that he had expressed his belief that there was some mistake about the matter. He moved that these names be printed.

Mr. Webster expressed his wish that the names might be printed. He would do the justice to the honorable member to say, that he understood him to have expressed himself as he had stated.

The paper was then referred and the names ordered to be printed.

Mr. Webster then said he had to present to the senate a memorial from the farmers, manufacturers, mechanics and traders of the town of Adams, Massachusetts, complaining of the recent measures of the government. The memorialists state that there were 1,200 persons in that town who have been engaged in manufacturing, who had catered into those pursuits under the assurance of protection from government. That, amidst prosperity, their career has been suddenly arrested, some of the establishments have been obliged to stop, and others to dismiss their hands, more or less, and many individuals have fallen into great want and distress.

These memorialists aver, sir, that that is true, which I have more than once predicted would soon be found true; and that is, that the measures of the administration tend to make some of the rich richer, and all the poor poorer; and all, they say, of whatever tongue or kindred, who have foreign capital at command, enjoy advantages over American industry and perseverance. As Americans, then, they address themselves to congress: they say to congress, "restore the currency, restore the confidence of the people, restore the character and credit of the nation, restore our prosperity and happiness. One act of yours can do all this."

Sir, as one of the representatives of the people of North Adams, I respond to them by saying, that, so far as depends on my efforts here, and on those of my colleague, and on those of their own able and excellent representative in the other house, and most of his colleagues, there will be no abandonment of present object and present purpose, till their prosperity be restored, till the credit of the nation be restored, and till the constitution of the country be restored also. Let them be of good cheer. Permanent distress, from mere misgovernment, can hardly be the lot of an intelligent people.

Mr. Bibb presented certain proceedings and resolutions adopted at a meeting at floppinsville, Ky. and Mr. Mangum a memorial from sundry citizens of North Carolina, disapproving the removal of the deposits, &c. which were read, referred, &c.

Mr. Frelinghuysen presented a certified copy of certain resolutions and a memorial adopted at a meeting of the friends of the president and the administration at a county meeting held in Somerville, Somerset county, New Jersey.

Mr. Frelinghuysen said, I take pleasure in assuring the senate of the respectability of the gentlemen who conducted this meeting, and that their opinions are entitled to receive from me and this body, respectful consideration. It was with satisfaction, and some consolation too, that I find these proceedings conveyed in decorous and dignified language. While I say this, however, sir, I am constrained to dissent from the opinions of these, my respectable constituents. I especially advert to the fifth resolution, wherein, speaking of the late instructions of the legislature, they resolve in the following terms: "We believe they expressed the sentiments of the state—we know they gave the voice of the county of Somerset." Mr. President, this matter of belief and knowledge is a voluntary exercise—it cannot be forced; and as this meeting has not instructed me to believe with them, I shall certainly continue to think according to my own lights, and the conclusions of my own mind.

Now, I do not believe, either in the majority of the state, and I certainly can not know, and do not believe, the alleged state of public sentiment, in the county of Somerset. This ancient, honored county, sustain the encroachments of arbitrary power! If I was to select a district in the state, where the pure, pervading, uncompromising whig principles of the revolution prevailed, it would be the good old county of Somerset. Sir, it has been true to these principles from its earliest history. The first war note that ever disturbed the tranquillity of its valleys, was in that eventful hour when resistance to arbitrary power was resolved. Yes, sir, it was against its encroachments that our fathers buckled on their armor—and the plains of Monmouth, Trenton and Princeton, still hold a language that has lost none of its energy by time, but will, when needs be, warm every patriot bosom into enthusiasm.

Sir, the true issue was not yet formed at the date of this meeting. The bank is certainly denounced for sufficient variety of charges and misconduct, in the resolutions and memorial before us, but the great question of power, on the one hand, and the majesty and dominion of our laws on the other, was not then raised. But I rejoice to know that the people are now coming up to the ensue, with the spirit and solemnity becoming enlightened freemen, jealous of their liberties.

Mr. F. in proof of this, referred to the resolutions and memorial of a public meeting held at Princeton, New Jersey, and of the townships of Montgomery, in Somerset, and West Windsor, in Middlesex counties, signed by more than 200 citizens, and a memorial of more than 1,100 farmers, mechanics, merchants and citizens of the county of Middlesex and city of New Brunswick, which he also presented. These respective memorials with like justice and truth, complain of the general interruption of commerce and business, induced by unlawful and unconstitutional executive interference.

Mr. F. then proceeded to explain the state of things in New Jersey, and said—

Thus far, then, sir, have my colleague and myself been sustained in our reference to the people of New Jersey. We have put the matter fairly and fearlessly before them. We have no anxieties about the issue. I believe, sir, that an inquisition is going forward, that will make the very pillars of power tremble. I make, sir, the usual motion, that the memorials and resolutions be read and printed, and referred to the committee on finance.

Some remarks were made by Mr. Southard and Mr. Benton, after which the reference was ordered.

The chair then announced the special order, being the resolutions offered by Mr. Poindexter, as a modification of his motion that the messages be not received.

Mr. Forsyth having yesterday moved to amend these resolutions, so as to introduce the messages into the resolutions—

The question being on the appeal of Mr. Calhoun from the decision of the chair, that the amendment of Mr. Forsyth was in order—

Mr. Poindexter requested the withdrawal of the appeal, in order that he might submit the question of the general order. He objected to the reception of the amendment, because, whether it was adopted or rejected, it destroyed the object of the original proposition, and defeated the purpose of the pending discussion.

Mr. Calhoun withdrew his appeal.

At this point of the discussion, a doubt arose as to the fact whether any decision on the point of order had been made by the chair, and the chair being pressed, declined stating any thing more explicitly than that the writing which Mr. Forsyth had put in, was, in the opinion of the chair, such a writing of the amendment as was contemplated by the rule of the senate.

The chair, in reply to a question by Mr. Clay, expressed a willingness to receive the opinions of the senate.

The question of order was then again discussed, by Messrs. Wright, Clay, Forsyth, Calhoun and Bibb; Mr. Forsyth handing in a copy of the messages, and asking for the yeas and nays on the question of receiving them as an amendment; after which, the chair (Mr. King) decided that the amendment was in order.

Mr. Poindexter appealed from the decision of the chair, and expressed a hope that the question would be taken without debate. He asked for the yeas and nays, but before the question was taken, on motion of Mr. Webster, the senate adjourned.

April 23. Memorials condemning the removal of the deposits and praying their restoration, were presented by Mr. MeKeon from citizens of Chester and Mifflin counties, Pa.; by Mr. Southard from the city of Trenton and county of Warren, New Jersey. Mr. Southard also presented the proceedings of the delegates assembled at the seat of government of the state of New Jersey, stating, as their opinion, that the removal of the deposits is the cause of the existing distress, and as proceeding from an unwarranted assumption of power by the executive. These several memorials, proceedings, &c. were severally read, referred, &c. after observations by Messrs. Southard, Clay, Preston, Forsyth, Webster and Chambers, which occupied until 3 o'clock.

The senate then proceeded to the consideration of the special order, being the appeal against the decision of the chair, that the amendment of Mr. Forsyth was in order.

The yeas and nays were then ordered, and the question was taken without discussion, and determined as follows:

YEAS—Messrs. Benton, Binck, Forsyth, Grundy, Hill, Kane, King, of Alabama, King, of Geo. Linn, McKeon, Morris, Robinson, Shepley, Tipton, White, Wilkins, Wright—17.

NAYS—Messrs. Bell, Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Leitch, Mangum, Moore, Poindexter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggoner, Webster—26.

So the decision of the chair was reversed, and the amendment offered by Mr. Forsyth was declared to be out of order.

Mr. Forsyth then demanded that the question be taken on the resolutions separately.

Mr. Clay then moved to strike out all the resolutions after the first "Resolved," in the first resolution, and to insert the following:

Resolved, That the protest communicated to the senate on the 10th inst. by the president of the United States, asserts powers as belonging to the president which are inconsistent

with the just authority of the two houses of congress, and inconsistent with the constitution of the United States.

*Resolved*, That while the senate is and ever will be, ready to receive from the president all such messages and communications as the constitution and laws and the usual course of business authorise him to transmit to it, yet it cannot recognise any right in him to make a formal protest against votes and proceedings of the senate, declaring such votes and proceedings to be illegal and unconstitutional, and requesting the senate to enter such protest on its journals.

*Resolved*, That the aforesaid protest is a breach of the privileges of the senate, and that it be not entered on the journal.

Mr. C. explained that his modification varied only from the original resolutions in two particulars. The modification places on record what must indeed have otherwise been obvious, the readiness of the senate to record, at all times, such proceedings and messages as the president may think proper to transmit, in compliance with his constitutional duties. There was another difference, consisting in this. The proposition of the gentleman from Mississippi is, not to receive the messages. The last resolution of the modification proposes not to record it on the journal. In his opinion, the recording of a paper was its reception. According to the uniform practice, the messages are all recorded. The last resolution marks the distinction between the regular and usual messages of the president and the present, and refuses to the latter that place on the journal to which all messages, agreeably to the constitution, are entitled. Mr. Poindexter expressed his readiness to take either course which might be most agreeable to the senate. After some few remarks, he moved to lay the resolutions and modifications on the table, in order to give time for reflection on the subject. He withdrew his motion.

Some discussion ensued, in which Mr. Calhoun, Mr. Clayton, Mr. Preston and Mr. Bibb took part.

Mr. Bibb sent the chair the following amendment, which he proposed to move when the amendment proposed by Mr. Clay should be called up:

After the words "president of the United States," in the second line of the amendment, strike out the residue of the amendment, and insert "he not received."

Mr. Poindexter expressed his intention to accept this modification.

On motion of Mr. Kane, the senate then adjourned.

April 24. Memorials, &c. condemning the removal of the deposits were presented—by Mr. Webster from 490 farmers, traders and mechanics of Union county, Pennsylvania; by Mr. Clayton from a public meeting, and also from 736 citizens of Kent county, Delaware; by Mr. Robbins from Providence, R. Island; which were read, referred, &c. after

Some remarks from the gentlemen, respectively, were made on the presentations.

The senate then took up the resolutions, on the subject of the president's protest, offered by Mr. Poindexter, as modified by Mr. Clay.

The question being on the amendment offered by Mr. Bibb—Mr. Kane addressed the senate in defence of the protest and the executive, until near 3 o'clock.

Mr. Bibb then rose to reply, but gave way to Mr. Wilkins.

Mr. Wilkins then moved to postpone the consideration of the special order till to-morrow.

The motion was agreed to, and

On motion of Mr. Wilkins the senate proceeded to the consideration of executive business, and remained for some time therein.

At half past 4 o'clock, the doors were re-opened, when

Mr. Hendricks offered a resolution allotting Fridays and Saturdays of each and every week to the consideration of bills. The senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, April 18. Mr. Heath rose and remarked, that, as one of the guardians of the people's interest on this floor, he felt it to be his duty to make an effort to secure their money, and which induced him to offer a resolution with that object in view. As to the money already taken from the United States bank, he never expected its return, and his object now was to secure all that would be received hereafter. He, therefore, asked leave to submit the following resolution:

*Resolved*, That the secretary of the treasury be directed to deposit in the bank of the United States and its branches, from the first day of May next, and until the expiration of its charter, all the accruing resources of the government.

Objection being made to granting leave, Mr. H. moved to suspend the rules for the purpose of enabling him to offer this resolution.

Mr. Williams demanded the yeas and nays; which were ordered, and being taken, stood as follows: yeas 83, nays 89. Not being two-thirds, the house of course refused to suspend the rules to allow the resolution of Mr. Heath to be proposed.

Mr. Lincoln asked leave to offer a resolution calling on the postmaster general for certain information connected with the appointment and number of clerks, &c.

Objection being made, Mr. L. moved to suspend the rules so as to allow him to move it; but the house refused. Yeas 78, noes not counted.

Mr. Jarvis now renewed the request he had made yesterday to suspend the rules so as to allow him to move a resolution calling for certain information relative to the failure of the Dis-

trict banks. After some explanation, the rule was suspended, whereupon Mr. J. moved his resolution; and

Mr. Hardin moved an amendment to extend the inquiry to the bank of the Metropolis; but before it was read the morning hour expired, and the resolution and amendment lie over.

Mr. Polk moved to suspend the rules for the purpose of going into committee of the whole on the general appropriation bill.

Mr. McKim demanded the yeas and nays, and they were ordered and stood, yeas 91, nays 60. So the house refused to suspend the rules.

Mr. Wise, of Virginia, now asked leave to offer resolutions declaring the custody of the public treasure to be in congress; that no further legislation is necessary to empower congress to create an agency for the custody of the public money; and that they can take the custody out of the executive hands, &c. [See next day's proceedings.]

Objection being made, Mr. Wise moved to suspend the rules of the house, and asked the yeas and nays, whereupon, on motion of Mr. Love, a call of the house was ordered.

After the call had preceded a considerable time, a motion was made to adjourn, (lost by 4 votes only); and the call of the house was at length suspended, and the doors thrown open.

Mr. Wise renewed his motion to suspend the rules of the house—on which Mr. Beardley demanded the yeas and nays, and they were ordered, and stood 103 yeas, 95 nays. So the rule was not suspended, two thirds being required.

Mr. Wise then gave notice that he should renew the same motion every day, until leave should be given to introduce the resolutions.

Mr. Peyton, of Tennessee, asked for a suspension of the rules, to enable him to offer a series of resolutions acquitting the president of censure in relation to the removal of the public deposits; condemning the senate, and conceding to congress the power of selecting the places of deposit for the public moneys. [See next day's proceedings.]

These resolutions having been read, a very strong sensation was excited by a large portion of the house; when

Mr. Peyton withdrew them, but gave notice that he should continue to offer them whenever those of Mr. Wise were offered. The house then adjourned.

Saturday, April 19. Mr. Clayton asked leave to offer a resolution: objection being made, he moved for the suspension of the rules, to allow him to move it, which motion prevailed, by a vote of yeas 127, nays 16. So the house having agreed to suspend the rules, Mr. C. offered the following resolution, which was read.

*Resolved*, That a special committee be appointed for the purpose of inquiring into the expediency of equalizing and reducing the salaries of officers, and all other expenses of government, in every department thereof where the same can be constitutionally done, and also to abolish such offices as may be deemed unnecessary, and that they have power to report by bill or otherwise.

Mr. Jarvis suggested an amendment extending the inquiry to the cases where an increased compensation might be expedient.

Mr. Plummer moved an amendment to include the pay of members of congress; and

Mr. Hardin moved to include mileage also.

Mr. Clayton accepted these several resolutions, and the question was taken on agreeing to the resolution as amended, by yeas and nays, and appeared as follows, yeas 183, nays 2.

So the resolution was agreed to.

Mr. Wise now asked consent of the house to offer, in a modified form, the resolutions he had desired to offer yesterday.

Objection being made, he moved to suspend the rules, to allow him to move them, and demanded the yeas and nays which were ordered.

The resolutions were then read as follows:

*Resolved*, That the custody and control of the moneys of the United States, not appropriated by law, and not disbursed under appropriations by law, are, by the constitution, placed under the order and direction of the congress of the United States.

*Resolved*, That no change of the constitution of the United States is necessary to authorise the congress of the United States to entrust the custody of the public money, not appropriated by law, to other agency than that of the executive department, and that the custody of the public money must not be, necessarily, under the constitution, entrusted to the executive department.

*Resolved*, That congress can take out of the hands of the executive department the custody of the public property or money, without an assumption of executive power, or a subversion of the first principles of the constitution, by the repeal and enactment of such laws as may be necessary to that end.

The yeas and nays being taken upon the question of suspending the rule, were as follows:

YEAS—Messrs. John Quincy Adams, Heman Allen, John J. Allen, Chilton Allan, Wm. Allen, Archer, Ashley, Banks, Barber, Barutz, Barringer, Bates, Baylies, Beale, Beatty, James M. Bell, Bouldin, Briggs, Bull, Burd, Burgess, Bynum, Cagle, Campbell, Chambers, Chilton, Claiborne, William Clark, Clayton, Clowney, Connor, Corwin, Crockett, Darlington, Amos Davis, Davenport, Deberry, Denny, Dickson, Duncan, Ellsworth, Evans, Horace Everett, Ewing, Felder, Foot, Fowler, W. K. Fuller, Fulton, Galhath, Gamble, Gholson, Gordon, Gorham, Graham, Grnyson, Grennell, Hardin, James Harper, Hazeltine, Heath, Hiester, Jabez W. Huntington, William C. Johnson, Seaborn Jones, Lincoln, Love, Loyall, Martindale, Marshall



John Y. Mason, McCarty, McComas, McKennan, Mercer, Milligan, Moore, Patton, Potts, Ramsay, Reed, Selden, William B. Sheppard, Aug. H. Shepperd, William Slade, Sloane, Stewart, William F. Taylor, Plimeton Thomas, Tweedy, Vance, Vinton, Watmough, E. D. White, F. Whittlessey, E. Whittlessey, Wilde, Williams, Wilson, Wise, Young—99.

**YAYS**—Messrs. John Adams, Anthony, Bean, Beardsey, Benumout, J. Bell, Blair, Bockee, Boon, Bunch, Cambreleng, Carmichael, Carr, Casey, Chaney, Samuel Clark, Coffee, Cramer, Day, Dickinson, Dunlap, Fillmore, Forrester, P. C. Fuller, Gillet, Jos. Hall, T. H. Hall, Halsey, Haunegan, Jos. M. Harper, Harrison, Hathaway, Hawkins, Howell, Hubbard, Abel Huntington, Richard M. Johnson, Cave Johnson, Benjamin Jones, Kavanagh, Kinnard, Lane, Lansing, Laporte, Lawrence, Lea, Lee, Leavitt, Lyon, Lytle, Joel K. Mann, Mardis, Moses Mason, McIntyre, McKay, McKim, McKinley, McLene, McVean, Murphy, Osgood, Page, Parks, Parker, Patterson, D. J. Pearce, Peyton, F. Pierce, Pierson, Plummer, Polk, Pope, Schenck, Schley, Charles Slade, Smith, Speight, Standifer, Stoddert, Wm. Taylor, Thomson, Turrell, Van Houten, Wagener, Ward, Wardwell, Webster, Whalon, C. P. White—91.

Two-thirds not having voted in the affirmative, the rules were not suspended.

Mr. Peyton renewed his motion for leave to offer the resolutions he had brought forward yesterday. Objection being made, he moved for a suspension of the rules, to allow him to offer them. The resolutions were read as follows:

**Resolved**, That the president of the United States, in the late executive proceedings in relation to the public revenue, has not assumed "upon himself authority and power not conferred by the constitution and laws," but that he has acted in conformity to both.

**Resolved**, That the senate of the United States, in a late resolution passed by that body, in the words following, to wit: "**Resolved**, That the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both," have, by that resolution, not with a view to legislative action, but as a solemn censure upon the president, infringed upon the rightful and legitimate powers and prerogatives of the house of representatives.

**Resolved**, That congress have the power, by law, to select the places of depositing the public money and providing for its safe keeping.

Mr. Hardin said he hoped that every member would vote to suspend the rules to allow the introduction of these resolves.

Mr. Wilde demanded the yeas and nays, and they were ordered.

Mr. Moore, of Virginia, inquired of the chair whether the resolutions did not involve a violation of the rules of order, which forbade any reference in one house to words spoken or measures pending in the other branch.

The chair replied that that question would arise when the resolutions came to be considered.

Mr. Ellsworth inquired whether any body objected to the introduction of the resolutions.

The chair said that that would be decided when the question should be put.

Mr. Mercer inquired whether the question of consideration would not be in order.

The chair said it would, after the rules should have been suspended.

The yeas and nays were now taken on suspending the rules, and decided as follows:

**YEAS**—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Clifton Allan, Win. Allen, Archer, Ashley, Banks, Barber, Barritz, Barrington, Bates, Baylies, Beale, Beatty, James M. Bell, Blair, Briggs, Bull, Burd, Burgess, Bynum, Cage, Campbell, Casey, Chambers, Chilton, Clubbome, Wm. Clark, Clayton, Clowney, Connor, Corwin, Coulter, Crockett, Darlington, Amos Davis, Denny, Dickson, Ellsworth, Evans, Horace Everett, Ewing, Felder, Font, Philo C. Fuller, Fulton, Garland, Gholson, Gordon, Gorham, Grayson, Grennell, Hiland Hall, Haunegan, Hard, Hardin, Hazeltine, Heath, Heister, Jabez W. Huntington, William C. Johnson, Seathon Jones, Lay, Leavitt, Lincoln, Love, Loyall, Martindale, Marshall, McCarty, McComas, McKennan, Mercer, Milligan, Patton, Peyton, Pierson, Potts, Reed, Rencher, Selden, Wm. Slade, Sloane, Stewart, Wm. F. Taylor, Plimeton Thomas, Tweedy, Vance, Vinton, Watmough, Edward D. White, Elisha Whittlessey, Wilde, Williams, Wilson, Wise, Young—98.

**NAYS**—Messrs. J. Adams, Anthony, Bean, Beardsey, Benumout, J. Bell, Bockee, Boon, Bunch, Caubreleng, Carmichael, Carr, Chaney, Samuel Clark, Coffee, Cramer, Davenport, Day, Deberry, Duncan, Dunlap, Fillmore, Forrester, Fowler, W. K. Fuller, Gamble, Gillet, Gilmer, Graham, Joseph Hall, Halsey, Jos. M. Harper, Harrison, Hathaway, Hawkins, Howell, Hubbard, Abel Huntington, Jarvis, Richard M. Johnson, Cave Johnson, Benjamin Jones, Kavanagh, King, Kinnard, Lane, Lansing, Laporte, Lawrence, Luke Lea, Thos. Lee, Lucas, Lyon, J. K. Mann, Mardis, J. Y. Mason, Moses Mason, McIntire, McKay, McKim, McKinley, McLene, McVean, Moore, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, F. Pierce, Plummer, Polk, Pope, Ramsay, Schenck, Schley, Aug. H. Shepperd, Chas. Slade, Smith, Speight, Standifer, Stoddert, Wm. Taylor, Thomson, Turrell, Vanderpool, Van Houten, Wagener, Ward, Wardwell, Webster, Whalon, C. P. White—35.

So the house refused to suspend the rules, two-thirds of the house not sustaining the motion.

Several private bills being considered and disposed of, The house took up the bill for the relief of Mrs. Decatur, when Mr. Hubbard explained his views at large in favor of the claim.

Amendments being offered and rejected, the bill was laid aside. When the bill for the relief of Richard W. Meade, (involving a claim of \$490,000) was taken up in committee of the whole.

After being sometime engaged therein, the committee rose, and reported progress, on both bills—and had leave to sit again. The house then adjourned.

**Monday, April 21.** This being petition day, the first question which came up was on the motion of Mr. Evans, of Maine, that the memorial presented by him on Monday last, be referred to the committee of ways and means, with instructions "to report two resolutions—one declaring that the reasons of the secretary of the treasury for the removal of the public money from the bank of the United States, are insufficient and unsatisfactory—and the other declaring that a bank, created by authority of congress, is necessary, expedient, and ought to be established."

Mr. Evans took the floor, and addressed the house in a speech, in which he took a general view of the bank question. After he had concluded,

Mr. Wise renewed and offered his resolutions as an amendment to Mr. Evans' resolutions.

The chair deciding that Mr. Wise could not offer them as an amendment, because they were on a different subject—

Mr. Wise stated that Mr. Evans was willing to adopt them as a modification of his own proposition; and the resolutions being thus before the house, he entered into a very free and animated course of remarks, assigning his reasons for offering his resolutions.

Mr. Peyton, of Tennessee, renewed his motion, to substitute the resolutions he had twice before proposed to offer last week as a substitute for those of Mr. Wise, and replied to Mr. W. but becoming discursive, was called to order by the chair.

Mr. Wise rejoined.

Mr. Turrell, of N. Y. moved to lay the memorial, resolutions of instruction and amendments thereto on the table.

Mr. Evans then withdrew from his proposition the resolutions accepted by him from Mr. Wise, so as to leave the motion to lay on the table, to apply only to the memorial and instructions as originally moved by himself.

Mr. Turrell then, on request, withdrew his motion; and Mr. Evans moved to postpone the whole subject until Monday next.

Mr. Filmore, of N. Y. moved to lay the whole subject on the table.

Mr. McKim demanded the yeas and nays; and they were taken on the motion to lay on the table, which motion prevailed—yeas 107, nays 91; when the house adjourned.

**Tuesday, April 22.** On motion of Mr. Clayton, it was

**Resolved**, That the committee appointed for the purpose of inquiring into the expediency of equalizing and reducing the salaries of officers, and for other purposes, contained in a resolution passed by this house on the 19th inst. be authorized to send for persons and papers, in executing the objects of said resolution.

Mr. Cambreleng presented a memorial of 235 Poles now in the city of New York, praying for a grant of land.

Various business of a private or local character being attended to,

The speaker laid before the house a letter from the secretary of the treasury, transmitting the annual commercial statements.

Mr. Jarvis' resolution authorising an investigation of the affairs of those district banks which have suspended specie payments, was taken up, but, before it was disposed of, the house proceeded to the orders of the day.

Mr. Polk reported a bill regulating the deposits of the moneys of the United States in certain local banks, which after some discussion, was twice read and committed.

The residue of the day was occupied in the consideration of the general appropriation bill. The house adjourned.

**Wednesday, April 23.** The journal having been read—

Mr. J. Q. Adams moved that the journal be amended, so as to present the following as an entry therein:

"After some time spent therein, [that is, in the committee of the whole], the speaker resumed the chair, and Mr. Hubbard reported that the committee had, according to order, had the said bill [i. e. the bill making appropriations for the civil and diplomatic expenses of government for the year 1834] under consideration, and finding itself without a quorum, had risen and directed him to report that fact to the house."

Again; to amend the journal, in another part thereof, so as to read as follows:

"The house again resolved itself into the committee of the whole house on the state of the union, and proceeded in the consideration of the said bill; and after some time spent therein, the speaker again resumed the chair, and Mr. Hubbard reported that the committee, finding itself again without a quorum, had risen and directed him to report that fact to the house."

Mr. A. supported his motion by a speech of great animation. Toward the close of it, Mr. A. was called to order by Mr. Boon, and by the chair.

Mr. Adams asked and obtained leave to that effect, and made an explanation.

The speaker went into an explanation in reference to Mr. Adams' amendment and speech.

Mr. Polk then claimed the floor, and the speaker decided that he was entitled to it.

An appeal being taken from the decision of the chair, after some explanations between Mr. Adams and that officer,

Mr. Adams was allowed to proceed and conclude his speech. Mr. Polk replied with warmth, and was repeatedly called to order by Mr. Adams.

Messrs. Hubbard and Speight, who had occupied the chair, explained their conduct, respectively.

The question of order was argued at great length by Messrs. Reed, Foot, Speight, Briggs, Binney, Mercer, Wayne, Sulzerland, McKinley and Chilton; when

Mr. Boon moved to lay the motion of Mr. Adams on the table. Mr. Adams demanded the yeas and nays. They were ordered and stood as follows: yeas 100, nays 89. So the motion of Mr. Adams was laid on the table.

Mr. Adams then moved, that the following paragraph be placed on the journal of the house, of yesterday:

"Mr. J. Q. Adams moved, that there be a call of the house. The speaker (the chair being temporarily occupied by Mr. Speight, of North Carolina) refused to put the question. Upon which Mr. Adams appealed from the decision of the speaker, who refused to entertain the motion, and left the chair; which was immediately resumed by Mr. Hubbard, as chairman of the committee of the whole."

Mr. Boon moved to lay this also on the table. Mr. Grennell demanded the yeas and nays; which being taken, stood as follows: yeas 94, nays 95. So the house refused to lay the amendment on the table.

Mr. Adams again addressed the house at considerable length, and was replied to by Mr. Polk. After other proceedings—

Mr. Harper moved to lay the amendment on the table. Mr. Wilde moved an adjournment, which was negatived.

The yeas and nays being taken on Mr. Harper's motion stood as follows: yeas 98, nays 90.

The other proceedings of the day will sufficiently appear hereafter.

Thursday, April 24. Several private bills and other business being attended to,

The resolution of Mr. Mardis was again considered. Mr. McKennan, of Pa. took the floor and spoke, in opposition, till the expiration of the hour.

The general appropriation bill was then taken up, and occupied the house till a late hour of the day, when, without leaving gone through it, the house adjourned.

THE PRESIDENT AND THE SENATE.

IN SENATE APRIL 17, 1834.

Several messages were received from the president of the United States, by Mr. Donelson, his private secretary; among them the following

PROTEST:

To the senate of the United States:

It appears by the published journal of the senate, that on the 26th of December last, a resolution was offered by a member of the senate, which, after a protracted debate, was on the 28th day of March last, modified by the mover, and passed by the votes of twenty-six senators out of forty-six,\* who were present and voted in the following words, viz:

"Resolved, That the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

Having had the honor, through the voluntary suffrages of the American people, to fill the office of president of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself. Without notice, unheard and untried, I thus find myself charged on the records of the senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and constitution of my country.

It can seldom be necessary for any department of the government, when assailed in conversation, or debate, or by the strictures of the press or of popular assemblies, to step out of its ordinary path for the purpose of vindicating its conduct, or of pointing out any irregularity or injustice in the manner of the attack. But when the chief executive magistrate is, by one of the most important branches of the government, in his official capacity, in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declared guilty of a breach of the laws and constitution, it is due to his station, to public opinion, and to a proper self respect, that the officer thus denounced should promptly expose the wrong which has been done.

\*YEAS—Messrs. Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—26.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Ala. King, of Geo. Linn, McKean, Moore, Morris, Robinson, Sneypley, Tallmadge, Tipton, White, Wilkins, Wright—20.

In the present case, moreover, there is even a stronger necessity for such a vindication. By an express provision of the constitution, before the president of the United States can enter on the execution of his office, he is required to take an oath or affirmation in the following words:

"I do solemnly swear, (or affirm), that I will faithfully execute the office of president of the United States; and will, to the best of my ability, preserve, protect and defend, the constitution of the United States."

The duty of defending, so far as in him lies, the integrity of the constitution, would indeed have resulted from the very nature of his office; but by thus expressing it in the official oath or affirmation, which, in this respect, differs from that of every other functionary, the founders of our republic have attested their sense of its importance, and have given to it a peculiar solemnity and force. Bound to the performance of this duty by the oath I have taken, by the strongest obligations of gratitude to the American people, and by the ties which unite my every earthly interest with the welfare and glory of my country; and perfectly convinced that the discussion and passage of the above mentioned resolution were not only unauthorised by the constitution, but in many respects repugnant to its provisions and subversive of the rights secured by it to other co-ordinate departments, I deem it an imperative duty to maintain the supremacy of that sacred instrument, and the immunities of the department intrusted to my care, by all means consistent with my own lawful powers, with the rights of others, and with the genius of our civil institutions. To this end, I have caused this, my solemn protest, against the aforesaid proceedings, to be placed on the files of the executive department, and to be transmitted to the senate.

It is alike due to the subject, the senate and the people, that the views which I have taken of the proceedings referred to, and which compel me to regard them in the light that has been mentioned, should be exhibited at length, and with the freedom and frankness which are required by an occasion so unprecedented and peculiar.

Under the constitution of the United States, the powers and functions of the various departments of the federal government, and their responsibilities for violation or neglect of duty, are clearly defined or result by necessary inference. The legislative power subject to the qualified negative of the president, is vested in the congress of the United States, composed of the senate and house of representatives. The executive power is vested exclusively in the president, except that in the conclusion of treaties and in certain appointments to office, he is to act with the advice and consent of the senate. The judicial power is vested exclusively in the supreme and other courts of the U. States, except in cases of impeachment, for which purpose the accusatory power is vested in the house of representatives, and that of hearing and determining, in the senate. But, although for the special purposes which have been mentioned, there is an occasional intermixture of the powers of the different departments, yet with these exceptions, each of the three great departments is independent of the others in its sphere of action; and when it deviates from that sphere is not responsible to the others, further than it is expressly made so in the constitution. In every other respect, each of them is the equal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superior, save only in the manner and to the degree which that superior has prescribed.

The responsibilities of the president are numerous and weighty. He is liable to impeachment for high crimes and misdemeanors, and, on due conviction, to removal from office, and perpetual disqualification; and notwithstanding such conviction, he may also be indicted and punished according to law. He is also liable to the private action of any party who may have been injured by his illegal mandates or instructions, in the same manner and to the same extent of the humblest functionary. In addition to the responsibilities which may thus be enforced by impeachment, criminal prosecution, or suit at law, he is also accountable at the bar of public opinion, for every act of his administration. Subject only to the restraints of truth and justice, the free people of the United States have the undoubted right, as individuals or collectively, orally or in writing, at such times, and in such language and form as they may think proper, to discuss his official conduct, and to express and promulgate their opinions concerning it. Indirectly, also, his conduct may come under review in either branch of the legislature, or in the senate when acting in its executive capacity, and so far as the executive or legislative proceedings of these bodies may require it, it may be examined by them. These are believed to be the proper and only modes, in which the president of the United States is to be held accountable for his official conduct.

Tested by these principles, the resolution of the senate is wholly unauthorised by the constitution, and in derogation of its entire spirit. It assumes that a single branch of the legislative department may for the purposes of a public censure, and without any view to legislation or impeachment, take up, consider, and decide upon, the official acts of the executive. But in no part of the constitution is the president subjected to any such responsibility; and in no part of that instrument is any such power conferred on either branch of the legislature.

The justice of these conclusions will be illustrated and confirmed by a brief analysis of the powers of the senate, and a comparison of their recent proceedings with those powers.

The high functions assigned by the constitution to the senate, are in their nature either legislative, executive or judicial. It is only in the exercise of its judicial powers, when sitting as a court for the trial of impeachments, that the senate is expressly authorised and necessarily required to consider and decide upon the conduct of the president, or any other public officer. Indirectly however, as has already been suggested, it may frequently be called on to perform that office. Cases may occur in the course of its legislative or executive proceedings, in which it may be indispensable to the proper exercise of its powers, that it should inquire into, and decide upon, the conduct of the president or other public officers; and in every such case its constitutional right to do so is cheerfully conceded. But to authorise the senate to enter on such a task in its legislative or executive capacity, the inquiry must actually grow out of and tend to some legislative or executive action, and the decision when expressed must take the form of some appropriate legislative or executive act.

The resolution in question was introduced, discussed and passed, not as a joint, but as a separate resolution. It asserts no legislative power, proposes no legislative action; and neither possesses the form nor any of the attributes of a legislative measure. It does not appear to have been entertained or passed, with any view or expectation of its issuing in a law or joint resolution, or in the repeal of any law or joint resolution, or in any other legislative action.

Whilst wanting both the form and substance of a legislative measure, it is equally manifest, that the resolution was not justified by any of the executive powers conferred on the senate. These powers relate exclusively to the consideration of treaties and nominations to office; and they are exercised in secret session, and with closed doors. This resolution does not apply to any treaty or nomination, and was passed in a public session.

Nor does this proceeding in any way belong to that class of incidental resolutions which relate to the officers of the senate, to their chamber, and other appurtenances, or to subjects of order, and other matters of the like nature—in all which either house may lawfully proceed without any co-operation with the other, or with the president.

On the contrary the whole phraseology and sense of the resolution seem to be judicial. Its essence, true character, and only practical effect, are to be found in the conduct which its charges upon the president, and in the judgment which it pronounces on that conduct. The resolution, therefore, though discussed and adopted by the senate in its legislative capacity, is, in its office, and in all its characteristics, essentially judicial.

That the senate possesses a high judicial power, and that instances may occur in which the president of the United States will be amenable to it, is undeniable. But under the provisions of the constitution, it would seem to be equally plain that neither the president nor any other officer can be rightfully subjected to the operation of the judicial power of the senate, except in the cases and under the forms prescribed by the constitution.

The constitution declares that "the president, vice president and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors"—that the house of representatives "shall have the sole power of impeachment"—that the senate "shall have the sole power to try all impeachments"—that "when sitting for that purpose, they shall be on oath or affirmation"—that "when the president of the United States is tried, the chief justice shall preside"—that no person shall be convicted without the concurrence of two-thirds of the members present"—and that "judgment shall not extend further than to remove from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the United States."

The resolution above quoted, charges in substance that in certain proceedings relating to the public revenue, the president has usurped authority and power not conferred upon him by the constitution and laws, and that in doing so he violated both. Any such act constitutes a high crime—one of the highest, indeed, which the president can commit—a crime which justly exposes him to impeachment by the house of representatives, and upon due conviction, to removal from office, and to the complete and immutable disfranchisement prescribed by the constitution.

The resolution, then, was in substance an impeachment of the president; and in its passage amounts to a declaration by a majority of the senate, that he is guilty of an impeachable offence. As such it is spread upon the journals of the senate—published to the nation and to the world—inade part of our enduring archives—and incorporated in the history of the age. The punishment of removal from office and future disqualification, does not, it is true, follow this decision; nor would it have followed the like decision, if the regular forms of proceeding had been pursued, because the requisite number did not concur in the result. But the moral influence of a solemn declaration, by a majority of the senate, that the accused is guilty of the offence charged upon him, has been as effectually secured, as if the like declaration had been made upon an impeachment expressed in the same terms. Indeed, a greater practical effect has been gained, because the votes given for the resolution, though not sufficient to authorise a judgment of guilty on an impeachment, were numerous enough to carry that resolution.

That the resolution does not expressly allege that the assumption of power and authority, which it condemns, was intentional and corrupt, is no answer to the preceding view of its character and effect. The act thus condemned, necessarily implies volition and design in the individual to whom it is imputed, and being unlawful in its character, the legal conclusion is, that it was prompted by improper motives, and committed with an unlawful intent. The charge is not of a mistake in the exercise of supposed powers, but of the assumption of powers not conferred by the constitution and laws, but in derogation of both, and nothing is suggested to excuse or palliate the turpitude of the act. In the absence of any such excuse, or palliation, there is room only for one inference; and that is, that the intent was unlawful and corrupt. Besides, the resolution not only contains no mitigating suggestion, but on the contrary, it holds up the act complained of as justly obnoxious to censure and reprobation: and thus as distinctly stamps it with impurity of motive, as if the strongest epithets had been used.

The president of the United States, therefore, has been by a majority of his constitutional triers, accused and found guilty of an impeachable offence; but in no part of this proceeding have the directions of the constitution been observed.

The impeachment, instead of being preferred and prosecuted by the house of representatives, originated in the senate, and was prosecuted without the aid or concurrence of the other house. The oath or affirmation prescribed by the constitution, was not taken by the senators: the chief justice did not preside; no notice of the charge was given to the accused; and no opportunity afforded him to respond to the accusation, to meet his accusers face to face, to cross examine the witnesses, to procure counteracting testimony, or to be heard in his defence. The safe-guards and formalities which the constitution has connected with the power of impeachment, were doubtless supposed by the framers of that instrument, to be essential to the protection of the public servant, to the attainment of justice, and to the order, impartiality, and dignity of the procedure. These safe-guards and formalities were not only practically disregarded, in the commencement and conduct of these proceedings, but in their result, I find myself convicted by less than two thirds of the members present, of an impeachable offence.

In vain it may be alledged in defence of this proceeding that the form of the resolution is not that of an impeachment; or of a judgment thereupon; that the punishment prescribed in the constitution does not follow its adoption, or that in this case, no impeachment is to be expected from the house of representatives. It is because it did not assume the form of an impeachment, that it is more palpably repugnant to the constitution; for it is through that form only that the president is judicially responsible to the senate; and though neither removal from office nor future disqualification ensues, yet it is not to be presumed, that the framers of the constitution considered either or both of those results, as constituting the whole of the punishment they prescribed. The judgment of guilty by the highest tribunal in the union; the stigma it would inflict on the offender, his family and fame; and the perpetual record on the journal, handing down to future generations the story of his disgrace, were doubtless regarded by them as the bitterest portions, if not the very essence of that punishment. So far, therefore, as some of its most material parts are concerned, the passage, recording and promulgation of the resolution, are an attempt to bring them on the president, in a manner unauthorised by the constitution. To shield him and other officers who are liable to impeachment, from consequences so momentous, except when really merited by official delinquencies, the constitution has most carefully guarded the whole process of impeachment. A majority of the house of representatives, must think the officer guilty, before he can be charged. Two-thirds of the senate must pronounce him guilty, or he is deemed to be innocent. Forty-six senators appear by the journal to have been present when the vote on the resolution was taken. If, after all the solemnities of an impeachment, thirty of those senators had voted that the president was guilty, yet would he have been acquitted, but by the mode of proceeding adopted in the present case, a lasting record of conviction has been entered up by the votes of twenty-six senators, without an impeachment or trial; whilst the constitution expressly declares that to the entry of such a judgment an accusation by the house of representatives, a trial by the senate, and a concurrence of two-thirds in the vote of guilty, shall be indispensable prerequisites. Whether or not an impeachment was to be expected from the house of representatives, was a point on which the senate had no constitutional right to speculate, and in respect to which, even had it possessed the spirit of prophecy, its anticipations would have furnished no just grounds for this procedure.

Admitting that there was reason to believe that a violation of the constitution and laws had been actually committed by the president, still it was the duty of the senate, as his sole constitutional judges, to wait for an impeachment until the other house should think proper to prefer it. The members of the senate could have no right to infer that no impeachment was intended. On the contrary, every legal and rational presumption on their part ought to have been, that if there was good reason to believe him guilty of an impeachable offence, the house of representatives would perform its constitutional duty, by arraigning the offender before the justice of his country. The contrary presumption would involve an implication derogatory to the integrity and honor of the representatives of the people.

But suppose the suspicion thus implied were actually entertained, and for good cause, how can it justify the assumption by the senate of powers not conferred by the constitution?

It is only necessary to look at the condition in which the senate and the president have been placed by this proceeding, to perceive its utter incompatibility with the provisions and the spirit of the constitution, and with the plainest dictates of humanity and justice.

If the house of representatives shall be of opinion that there is just ground for the censure pronounced upon the president, then will it be the solemn duty of that house to prefer the proper accusation, and to cause him to be brought to trial by the constitutional tribunal. But in what condition would he find that tribunal? A majority of its members have already considered the case, and have not only formed but expressed a deliberate judgment upon its merits. It is the policy of our benign system of jurisprudence, to secure, in all criminal proceedings, and even in the most trivial litigations, a fair, unprejudiced, and impartial trial. And surely it cannot be less important, that such a trial should be secured to the highest officer of the government.

The constitution makes the house of representatives the exclusive judges, in the first instance, of the question, whether the president has committed an impeachable offence. A majority of the senate, whose interference with this preliminary question, has, for the best of all reasons, been studiously excluded, anticipate the action of the house of representatives, assume not only the function which belongs exclusively to that body, but convert themselves into accusers, witnesses, counsel and judges, and prejudice the whole case. Thus presenting the appalling spectacle, in a free state of judges going through a labored preparation for an impartial hearing and decision, by a previous *ex parte* investigation and sentence against the supposed offender.

There is no more settled axiom in that government whence we derived the model of this part of our constitution than, that "the lords cannot impeach any to themselves, nor join in the accusation, because they are judges." Independently of the general reason on which this rule is founded, its propriety and importance are greatly increased by the nature of the impeaching power. The power of arraigning the high officers, of government, before a tribunal whose sentence may expel them from their seats and brand them as infamous, is eminently a popular remedy—a remedy designed to be employed for the protection of private right and public liberty, against the abuses of injustice and the encroachments of arbitrary power. But the framers of the constitution were also undoubtedly aware, that this formidable instrument had been, and might be abused: and that from its very nature, an impeachment for high crimes and misdemeanors, whatever might be its result, would in most cases be accompanied by so much of dishonor and reproach, solicitude and suffering, as to make the power of preferring it, one of the highest solemnity and importance. It was due to both these considerations, that the impeaching power should be lodged in the hands of those who, from the mode of their election and the tenure of their offices, would most accurately express the popular will, and at the same time be most directly and speedily amenable to the people.

The theory of these wise and benignant intentions is in the present case, effectually defeated by the proceedings of the senate. The members of that body represent, not the people, but the states; and though they are undoubtedly responsible to the states, yet, from their extended term of service, the effect of that responsibility, during the whole period of that term, must very much depend upon their own impressions of its obligatory force. When a body, thus constituted expresses, beforehand, its opinion in a particular case, and thus indirectly invites a prosecution, it not only assumes a power intended for wise reasons to be confined to others, but it shields the latter from that exclusive and personal responsibility under which it was intended to be exercised, and reverses the whole scheme of this part of the constitution.

Such would be some of the objections to this procedure, even if it were admitted that there is just ground for imputing to the president the offences charged in the resolution. But, if, on the other hand, the house of representatives shall be of opinion that there is no reason for charging them upon him, and shall therefore deem it improper to prefer an impeachment, then will the violation of privilege as it respects that house, of justice as it regards the president, and of the constitution, as it relates to both, be only the more conspicuous and impressive.

The constitutional mode of procedure on an impeachment has not only been wholly disregarded, but some of the first principles of natural right and enlightened jurisprudence, have been violated in the very form of the resolution. It carefully abstains from averring in which of "the late proceedings in relation to the public revenue, the president has assumed upon himself authority and power not conferred by the constitution and laws." It carefully abstains from specifying *what laws or what parts of the constitution have been violated*. Why was not the certainty of the offence—"the nature and cause of the accusation"—set out in the manner required in the constitution, before even the humblest individual, for the smallest crime, can be exposed to condemnation? Such a specification was due to the accused, that he might direct his defence to the real points of attack; to the people, that they might clearly understand in what particulars their institutions had been violated; and to the truth and certainty of our public annals. As the record now

stands, whilst the resolution plainly charges upon the president at least one act of usurpation in "the late executive proceedings in relation to the public revenue," and is so framed that those senators who believe that one such act, and only one, had been committed, could assent to it, its language is yet broad enough to include several such acts; and so it may have been regarded by some of those who voted for it. But though the accusation is thus comprehensive in the censures it implies, there is no such certainty of time, place, or circumstance, as to exhibit the particular conclusion of fact or law which induced any one senator to vote for it. And it may well have happened, that whilst one senator believed that some particular act embraced in the resolution, was an arbitrary and unconstitutional assumption of power, others of the majority may have deemed that very act both constitutional and expedient, or if not expedient, yet still within the pale of the constitution. And thus a majority of the senators may have been enabled to concur, in a vague and undefined accusation, that the president, in the course of "the late executive proceedings in relation to the public revenue," had violated the constitution and laws; whilst, if a separate vote had been taken in respect to each particular act, included within the general terms, the accusers of the president might, on any such vote, have been found in the minority.

Still further to exemplify this feature of the proceeding, it is important to be remarked, that the resolution, as originally offered to the senate, specified, with adequate precision certain acts of the president, which it denounced as a violation of the constitution and laws; and that it was not until the very close of the debate, and when, perhaps, it was apprehended that a majority might not sustain the specific accusation contained in it, that the resolution was so modified as to assume its present form. A more striking illustration of the soundness and necessity of the rules which forbid vague and indefinite generalities, and require a reasonable certainty in all judicial allegations, and a more glaring instance of the violation of those rules, has seldom been exhibited.

In this view of the resolution it must certainly be regarded, not as a vindication of any particular provision of the law or the constitution, but simply as an official rebuke or condemnatory sentence, too general and indefinite to be easily repelled, but yet sufficiently precise to bring into discredit the conduct and motives of the executive. But whatever it may have been intended to accomplish, it is obvious that the vague, general and abstract form of the resolution, is in perfect keeping with those other departures from first principles and settled improvements in jurisprudence, so properly the boast of free countries in modern times. And it is not too much to say, of the whole of these proceedings, that if they shall be approved and sustained by an intelligent people, then will that great contest with arbitrary power, which had established in statute, in bills of rights, in sacred charters, and in constitutions of government, the right of every citizen, to a notice before trial, to a hearing before conviction, and to an impartial tribunal for deciding on the charge, have been waged in vain.

If the resolution had been left in its original form, it is not to be presumed that it could ever have received the assent of a majority of the senate, for the acts therein specified as violations of the constitution and laws were clearly within the limits of the executive authority. They are the "dismissing the late secretary of the treasury, because he would not, contrary to his sense of his own duty, remove the money of the U. States in deposit with the bank of the United States and its branches, in conformity with the president's opinion; and appointing his successor to effect such removal—which has been done." But as no other specification has been substituted, and as these were the "executive proceedings in relation to the public revenue," principally referred to in the course of the discussion, they will doubtless be generally regarded as the acts intended to be denounced as "an assumption of authority and power not conferred by the constitution or laws, but in derogation of both." It is therefore due to the occasion that a condensed summary of the views of the executive in respect to them, should be here exhibited.

By the constitution, "the executive power is invested in a president of the United States." Among the duties imposed upon him, and which he is sworn to perform, is that of "taking care that the laws be faithfully executed." Being thus made responsible for the entire action of the executive department, it was but reasonable that the power of appointing, overseeing and controlling those who execute the laws—a power in its nature executive—should remain in his hands. It is, therefore, not only his right, but the constitution makes it his duty, to "nominate, and by and with the advice and consent of the senate appoint," all "officers of the United States whose appointments are not in the constitution otherwise provided for," with a proviso that the appointment of inferior officers may be vested in the president alone, in the courts of justice, or in the heads of departments.

The executive power vested in the senate, is neither that of "nominating" nor "appointing." It is merely a check upon the executive power of appointment. If individuals are proposed for appointment by the president, by them deemed incompetent or unworthy, they may withhold their consent, and the appointment cannot be made. They check the action of the executive, but cannot, in relation to those very subjects, act themselves, nor direct him. Selections are still made by the president, and the negative given to the senate, without di-

maintaining his responsibility, furnishes an additional guarantee to the country that the subordinate executive, as well as the judicial officers, shall be filled with worthy and competent men.

The whole executive power being vested in the president, who is responsible for its exercise, it is a necessary consequence, that he should have a right to employ agents of his own choice to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts. In strict accordance with this principle, the power of removal, which, like that of appointment, is an original executive power, is left unchecked by the constitution in relation to all executive officers, for whose conduct the president is responsible, while it is taken from him in relation to judicial officers, for whose acts he is not responsible. In the government from which many of the fundamental principles of our system are derived, the head of the executive department originally had power to appoint and remove at will all officers, executive and judicial. It was to take the judges out of this general power of removal, and thus make them independent of the executive, that the tenure of their offices was changed to good behaviour. Nor is it conceivable, why they are placed, in our constitution, upon a more different footing from that of all other officers appointed by the executive, unless it be for the same purpose. Be it then, there were any just ground or doubt on the face of the constitution, whether all executive officers are removable at the will of the president, it is obviated by the contemporaneous construction of the instrument, and the uniform practice under it.

The power of removal was a topic of solemn debate in the congress of 1789, while organizing the administrative departments of the government, and it was finally decided, that the president derived from the constitution, the power of removal, so far as it regards that department for whose acts he is responsible. Although the debate covered the whole ground, embracing the treasury as well as all the other executive departments, it arose on a motion to strike out of the bill to establish a department of foreign affairs, since called the department of state, a clause declaring the secretary "to be removable from office by the president of the United States." After that motion had been decided in the negative, it was perceived that these words did not convey the sense of the house of representatives, in relation to the true source of the power of removal. With the avowed object of preventing any future inference, that this power was exercised by the president in virtue of a grant from congress, when in fact that body considered it as derived from the constitution, the words which had been the subject of debate were struck out, and in lieu thereof a clause was inserted in a provision concerning the chief clerk of the department, which declared that "whenever the said principal officer shall be removed from office by the president of the United States, or in any other case of vacancy," the chief clerk should, during such vacancy, have charge of the papers of the office. This change having been made for the express purpose of declaring the sense of congress, that the president derived the power of removal from the constitution, the act as it passed has always been considered as a full expression of the sense of the legislature on this important part of the American constitution.

Here then we have the concurrent authority of president Washington, of the senate, and the house of representatives, numbers of whom had taken an active part in the convention which framed the constitution, and in the state conventions, which adopted it, that the president derived an unqualified power of removal from that instrument itself, which is "beyond the reach of legislative authority." Upon this principle the government has now been steadily administered for about forty-five years, during which there have been numerous removals made by the president or by his direction, embracing every grade of executive officers, from the heads of departments to the messengers of bureaus.

The treasury department, in the discussions of 1789, was considered on the same footing as the other executive departments, and in the act establishing it, the precise words were incorporated indicative of the sense of congress, that the president derives his power to remove the secretary from the constitution, which appear in the act establishing the department of foreign affairs. An assistant secretary of the treasury was created, and it was provided that he should take charge of the books and papers of the department "whenever the secretary shall be removed from office by the president of the United States." The secretary of the treasury being appointed by the president, and being considered as constitutionally removable by him, it appears never to have occurred to any one in the congress of 1789, or since, until very recently, that he was other than an executive officer, the mere instrument of the chief magistrate in the execution of the laws, subject, like all other heads of departments, to his supervision and control. No such idea as an officer of the congress can be found in the constitution, or appears to have suggested itself to those who organized the government. There are officers of each house, the appointment of which is authorised by the constitution, but all officers referred to in that instrument, as coming within the appointing power of the president, whether established thereby or created by law, are "officers of the United States." No joint power of appointment is given to the two houses of congress, nor is there any accountability to them as one body, but as soon as any office is created by law, of whatever name or character, the appointment of the person or persons to fill it, devolves by the constitution upon the president, with the advice and consent of the senate, unless

it be an inferior office, and the appointment be vested by the law itself "in the president alone, in the courts of law, or in the heads of departments."

But at the time of the organization of the treasury department, an incident occurred which distinctly evinces the unanimous concurrence of the first congress in the principle that the treasury department is wholly executive in its character and responsibilities. A motion was made to strike out the provisions of the bill making it the duty of the secretary "to digest and report plans for the improvement and management of the revenue, and for the support of public credit," on the ground that it would give the executive department of the government too much influence and power in congress. The motion was not opposed on the ground that the secretary was the officer of congress and responsible to that body, which would have been conclusive, if admitted, but on other grounds which conceded his executive character throughout. The whole discussion evinces an unanimous concurrence in the principle, that the secretary of the treasury is wholly an executive officer, and the struggle of the minority was to restrict his power as such.

From that time down to the present, the secretary of the treasury, the treasurer, register, comptrollers, auditors and clerks, who fill the offices of that department, have in the practice of the government, been considered and treated as on the same footing with corresponding grades of officers in all the other executive departments.

The custody of the public property, under such regulations as may be prescribed by legislative authority, has always been considered an appropriate function of the executive department in this and all other governments. In accordance with this principle, every species of property belonging to the U. States, (excepting that which is in the use of the several co-ordinate departments of the government, as means to aid them in performing their appropriate functions), is in charge of officers appointed by the president, whether it be lands, or buildings, or merchandise, or provisions, or clothing, or arms and munitions of war. The superintendents and keepers of the whole are appointed by the president, responsible to him, and removable at his will.

Public money is but a species of public property. It cannot be raised by taxation or customs, nor brought into the treasury in any other way, except by law; but whenever or howsoever obtained, its custody always has been, and always must be, unless the constitution be changed, intrusted to the executive department.—No officer can be created by congress for the purpose of taking charge of it, whose appointment would not, by the constitution, at once devolve on the president, and who would not be responsible to him for the faithful performance of his duties. The legislative power may undoubtedly bind him and the president, by any laws they may think proper to enact; they may prescribe in what place particular portions of the public money shall be kept, and for what reason it shall be removed, as they may direct that supplies for the army or navy shall be kept in particular stores; and it will be the duty of the president to see that the law is faithfully executed—yet will the custody remain in the executive department of the government. Were the congress to assume, with or without a legislative act the power of appointing officers independently of the president, to take charge and custody of the public property contained in the military and naval arsenals, magazines and storehouses, it is believed that such an act would be regarded by all as a palpable usurpation of executive power, subversive of the form as well as the fundamental principles of our government. But where is the difference in principle whether the public property be in the form of arms, munitions of war, and supplies or in gold and silver, or bank notes? None can be perceived—none is believed to exist. Congress cannot, therefore take out of the hands of the executive department, the custody of the public property or money, without an assumption of executive power, and a subversion of the first principles of the constitution.

The congress of the United States have never passed an act imperatively directing that the public moneys shall be kept in any particular place or places. From the origin of the government to the year 1816, the statute book was wholly silent on the subject. In 1789, a treasurer was created, subordinate to the secretary of the treasury, and through him to the president.—He was required to give bond, safely to keep, and faithfully to disburse the public moneys, without any direction as to the manner or places in which they should be kept. By reference to the practice of the government, it is found, that from its first organization, the secretary of the treasury, acting under the supervision of the president, designated the places in which the public moneys should be kept, and specially directed all transfers from place to place. This practice was continued, with the silent acquiescence of congress, from 1789, down to 1816; and although many banks were selected and discharged, and although a portion of the moneys were first placed in the state banks, and then in the former bank of the United States, and upon the dissolution of that, were again transferred to the state banks, no legislation was thought necessary by congress, and all the operations were originated and perfected by executive authority. The secretary of the treasury, responsible to the president, and with his approbation, made contracts and arrangements in relation to the whole subject matter, which was thus entirely committed to the direction of the president, under his responsibilities to the American people, and to those who were authorised to impeach and punish him for any breach of this important trust.

The act of 1816, establishing the bank of the United States, directed the deposits of public money to be made in that bank and its branches, in places in which the said banks and branches thereof may be established, "unless the secretary of the treasury should otherwise order and direct," in which event, he was required to give his reasons to congress. This was but a continuation of his pre-existing powers as the head of an executive department, to direct where the deposits should be made, with the superadded obligation of giving his reasons to congress for making them elsewhere than in the bank of the United States and its branches. It is not to be considered that this provision in any degree altered the relation between the secretary of the treasury and the president, as the responsible head of the executive department, or released the latter from his constitutional obligation to "take care that the laws be faithfully executed." On the contrary, it increased his responsibilities, by adding another to the long lists of laws, which it was his duty to carry into effect.

It would be an extraordinary result, if, because the person charged by law with a public duty, is one of the secretaries, it were less the duty of the president to see that law faithfully executed, than other laws enjoining duties upon subordinate officers or private citizens. If there be any difference, it would seem that the obligation is the stronger in relation to the former, because the neglect is in his presence, and the remedy at hand.

It cannot be doubted that it was the legal duty of the secretary of the treasury to order and direct the deposits of the public money to be made elsewhere than in the bank of the United States, whenever sufficient reasons existed for making change. If, in such a case, he neglected or refused to act, he would neglect or refuse to execute the law.

What would then be the sworn duty of the president? Could he say that the constitution did not bind him to see the law faithfully executed, because it was one of his secretaries, and not himself upon whom the service was specially imposed? Might he not be asked whether there was any such limitation to his obligations prescribed in the constitution? Whether he is not equally bound to take care that the laws be faithfully executed, whether they impose duties on the highest officer of state, or the lowest subordinate in any of the departments? Might he not be told, that it was for the sole purpose of causing all executive officers, from the highest to the lowest, faithfully to perform the services required of them by law—that the people of the United States have made him their chief magistrate, and the constitution has clothed him with the entire executive power of this government? The principles implied in these questions appear too plain to need elucidation.

But here, also, we have a contemporaneous construction of the act, which shows that it was not understood as in any way changing the relations between the president and secretary of the treasury, or as placing the latter out of executive control, even in relation to the deposits of the public money. Nor on this point are we left to any equivocal testimony. The documents of the treasury department show that the secretary of the treasury did apply to the president, and obtain his approbation and sanction to the original transfer of the public deposits to the present bank of the United States, and did carry the measure into effect in obedience to his decision. They also show that transfers of the public deposits from the branches of the bank of the United States to state banks at Chillicothe, Cincinnati and Louisville in 1819, were made with the approbation of the president, and by his authority. They show, that upon all important questions appertaining to his department, whether they related to the public deposits or other matters, it was the constant practice of the secretary of the treasury to obtain for his acts the approval and sanction of the president.

These acts, and the principles on which they were founded, were known to all the departments of the government, to congress, and the country, and, until very recently, appear never to have been called in question.

Thus was it settled by the constitution, the laws, and the whole practice of the government, that the entire executive power is vested in the president of the United States; that as incident to that power, the right of appointing and removing those officers who are to aid him in the execution of the laws, with such restrictions only as the constitution prescribes, is vested in the president; that the custody of the public property and money is an executive function, which, in relation to the money, has always been exercised through the secretary of the treasury and his subordinates; that in the performance of these duties, he is subject to the supervision and control of the president, and in all important measures having relation to them, consults the chief magistrate, and obtains his approval and sanctions; that the law establishing the bank, did not as it could not, change the relation between the president and the secretary, did not release the former from his obligation to see the law faithfully executed; nor the latter from the president's supervision and control; that afterwards, and before, the secretary did in fact consult, and obtain the sanction of the president, to transfers and removals of the public deposits, and that all departments of the government, and the nation itself, approved or acquiesced in these acts and principles, as in strict conformity with our constitution and laws. During the last year, the approaching termination, according to the provisions of its charter, and the solemn decision of the American people, of the bank of the United States, made it expedient, and its exposed abuses and corruptions, made it in my opinion, the duty of the

secretary of the treasury, to place the moneys of the United States in other depositories. The secretary did not concur in that opinion, and declined giving the necessary order and direction. So glaring were the abuses and corruption of the bank, so evident its fixed purpose to persevere in them, and so palpable its design, by its money and power, to control the government and change its character, that I deemed it the imperative duty of the executive authority, by the exertion of every power confided to it by the constitution and laws, to check its career, and lessen its ability to do mischief, even in the painful alternative of dismissing the head of one of the departments. At the time the removal was made, other causes sufficient to justify it existed; but if they had not, the secretary would have been dismissed for this cause only.

His place I supplied by one whose opinions were well known to me, and whose frank expression of them, in another situation, and whose generous sacrifices of interest and feeling, when unexpectedly called to the station he now occupies, ought forever to have shielded his motives from suspicion, and his character from reproach. In accordance with the opinions long before expressed by him, he proceeded, with my sanction, to make arrangements for depositing the moneys of the United States in other safe institutions.

The resolution of the senate, as originally framed, and as passed if it refers to these acts, presupposes a right in that body to interfere with this exercise of executive power. If the principle be once admitted, it is not difficult to perceive where it may end. If, by a mere denunciation like this resolution, the president should ever be induced to act, in a matter of official duty, contrary to the honest convictions of his own mind, in compliance with the wishes of the senate, the constitutional independence of the executive department would be as effectually destroyed, and its power as effectually transferred to the senate, as if that end had been accomplished by an amendment of the constitution.

But if the senate have a right to interfere with the executive powers, they have also the right to make that interference effective; and if the assertion of the power implied in the resolution be silently acquiesced in, we may reasonably apprehend that it will be followed, at some future day, by an attempt at actual enforcement. The senate may refuse, except on the condition that he will surrender his opinions to theirs and obey their will, to perform their own constitutional functions, to pass the necessary laws, to sanction appropriations proposed by the house of representatives, and to confirm proper nominations made by the president. It has already been maintained (and it is not conceivable that the resolution of the senate can be based on any other principle) that the secretary of the treasury is the officer of congress, and independent of the president; that the president has no right to control him, and consequently none to remove him. With the same propriety, and on similar grounds, may the secretary of state, the secretaries of war and navy, and the postmaster general, each in succession, be declared independent of the president, the subordinates of congress, and removable only with the concurrence of the senate. Followed to its consequences, this principle will be found effectually to destroy one co-ordinate department of the government, to concentrate in the hands of the senate the whole executive power, and to leave the president as powerless as he would be useless—the shadow of authority, after the substance had departed.

The time and the occasion which have called forth the resolution of the senate, seem to impose upon me an additional obligation not to pass it over in silence. Nearly forty five years had the president exercised, without a question as to his rightful authority, those powers for the recent assumption of which he is now denounced. The vicissitudes of peace and war had attended our government; violent parties, watchful to take advantage of any seeming usurpation on the part of the executive, had distracted our councils; frequent removals, or forced resignations, in every sense tantamount to removals, had been made of the secretary and other officers of the treasury; and yet, in no one instance is it known, that any man, whether patriot or partisan, had raised his voice against it as a violation of the constitution. The expediency and justice of such changes, in reference to public officers of all grades, have frequently been the topics of discussion; but the constitutional right of the president to appoint, control, and remove the head of the treasury, as well as all other departments, seems to have been universally conceded. And what is the occasion upon which other principles have been first officially asserted? The bank of the United States, a great moneyed monopoly, had attempted to obtain a renewal of its charter, by controlling the elections of the people and the action of the government. The use of its corporate funds and power in that attempt, was fully disclosed; and it was made known to the president that the corporation was putting in train the same course of measures, with the view of making another vigorous effort, through an interference in the elections of the people, to control public opinion and force the government to yield to its demands.

This, with its corruption of the press, its violation of its charter, its exclusion of the government directors from its proceedings, its neglect of duty and arrogant pretensions, made it, in the opinion of the president, incompatible with the public interest and the safety of our institutions, that it should be longer employed as the fiscal agent of the treasury. A secretary of the treasury, appointed in the recess of the senate, who had not

been confirmed by that body, and whom the president might or might not at his pleasure nominate to them, refused to do what his superior in the executive department considered the most imperative of his duties, and became in fact, however innocent his motives, the protector of the bank. And on this occasion it is discovered for the first time, that those who framed the constitution misunderstood it; that the first congress and all its successors have been under a delusion; that the practice of near forty-five years is not a continued usurpation; that the secretary of the treasury is not responsible to the president; and that to remove him is a violation of the constitution and laws, for which the president deserves to stand forever dishonored on the journals of the senate.

There are also some other circumstances connected with the discussion and passage of the resolution, to which I feel it to be, not only my right, but my duty to refer. It appears by the journal of the senate, that among the twenty-six senators who voted for the resolution on its final passage, and who had supported it in debate, in its original form, were one of the senators from the state of Maine, the two senators from New Jersey, and one of the senators from Ohio. It also appears by the same journal, and by the files of the senate, that the legislature of these states had severally expressed their opinions in respect to the executive proceedings drawn in question before the senate.

The two branches of the legislature of the state of Maine, on the 25th of January, 1834, passed a preamble and series of resolutions in the following words:

"Whereas, at an early period after the election of Andrew Jackson to the presidency, in accordance with the sentiments which he had uniformly expressed, the attention of congress was called to the constitutionality and expediency of the renewal of the charter of the United States bank: And whereas, the bank has transcended its chartered limits in the management of its business transactions, and has abandoned the object of its creation, by engaging in political controversies, by wielding its power and influence to embarrass the administration of the general government, and by bringing insolvency and distress upon the commercial community. And whereas, the public security from such an institution consists less in its present pecuniary capacity to discharge its liabilities than in the fidelity with which the trusts reposed in it have been executed: And whereas, the abuse and misapplication of the powers conferred have destroyed the confidence of the public in the officers of the bank, and demonstrated that such powers endanger the stability of republican institutions: Therefore, *Resolved*, That in the removal of the public deposits from the bank of the United States, as well as in the manner of their removal, we recognize in the administration an adherence to constitutional rights, and the performance of a public duty.

"*Resolved*, That this legislature entertain the same opinion as heretofore expressed by preceding legislatures of this state, that the bank of the United States ought not to be rechartered."

"*Resolved*, That the senators of this state in the congress of the United States be instructed, and the representatives be requested, to oppose the restoration of the deposits and the renewal of the charter of the United States bank."

On the 11th of January, 1834, the house of assembly and council composing the legislature of the state of New Jersey, passed a preamble and a series of resolutions in the following words:

"Whereas the present crisis in our public affairs calls for a decided expression of the voice of the people of this state; and whereas we consider it the undoubted right of the legislature of the several states to instruct those who represent their interests in the council of the nation, in all matters which intimately concern the public weal, and may affect the happiness or well being of the people: Therefore

"*Be it resolved by the council and general assembly of this state*, That while we acknowledge with feelings of devout gratitude our obligations to the Great Ruler of nations for his mercies to us as a people, that we have been preserved alike from foreign war, from the evils of internal commotions, and the machinations of designing and ambitious men who would prostrate the fair fabric of our union; that we ought, nevertheless, to humble ourselves in His presence and implore His aid for the perpetuation of our republican institutions, and for a continuance of that unexampled prosperity which our country has hitherto enjoyed.

"*2. Resolved*, That we have undiminished confidence in the integrity and firmness of the venerable patriot who now holds the distinguished post of chief magistrate of this nation, and whose purity of purpose and elevated motives have so often received the unqualified approbation of a large majority of his fellow citizens.

"*3. Resolved*, That we view with agitation and alarm the existence of a great moneyed incorporation, which threatens to embarrass the operations of the government, and by means of its unbounded influence upon the currency of the country, to scatter distress and ruin throughout the community; and, that we, therefore, solemnly believe the present bank of the United States ought not to be rechartered.

"*4. Resolved*, That our senators in congress be instructed, and our members of the house of representatives be requested to sustain, by their votes and influence, the course adopted by the secretary of the treasury, Mr. Taney, in relation to the bank of the United States and the deposits of the government moneys, believing as we do the course of the secretary to have

been constitutional, and that the public good required its adoption.

"*5. Resolved*, That the governor be requested to forward a copy of the above resolutions to each of our senators and representatives from this state in the congress of the United States."

On the 21st day of February last, the legislature of the same state reiterated the opinions and instructions before given by joint resolutions, in the following words:

"*Resolved by the council and general assembly of the state of New Jersey*, That they do adhere to the resolutions passed by them on the 11th day of January last, relative to the president of the United States, the bank of the United States, and the course of Mr. Taney in removing the government deposits.

"*Resolved*, That the legislature of New Jersey have no seen any reason to depart from such resolutions since the passage thereof; and it is their wish that they should receive from our senators and representatives of this state in the congress of the United States, that attention and obedience which are due to the opinion of a sovereign state openly expressed in its legislative capacity."

On the 2d of January, 1834, the senate and house of representatives composing the legislature of Ohio, passed a preamble and resolutions in the following words:

"Whereas there is reason to believe that the bank of the U. States will attempt to obtain a renewal of its charter at the present session of congress: And whereas it is abundantly evident that said bank has exercised powers derogatory to the spirit of our free institutions and dangerous to the liberties of these U. States: And whereas, there is just reason to doubt the constitutional power of congress to grant acts of incorporation for banking purposes out of the District of Columbia: And whereas, we believe the proper disposal of the public lands to be of the utmost importance to the people of these United States, and that honor and good faith require their equitable distribution: therefore

"*Resolved by the general assembly of the state of Ohio*, That we consider the removal of the public deposits from the bank of the United States as required by the best interests of our country, and that a proper sense of public duty imperiously demanded that that institution should be no longer used as a depository of the public funds.

"*Resolved*, also, That we view, with decided disapprobation, the renewed attempts in congress to secure the passage of the bill providing for the disposal of the public domain upon the principles proposed by Mr. Clay, inasmuch as we believe that such a law would be unequal in its operations, and unjust in its results.

"*Resolved*, also, That we heartily approve of the principles set forth in the late veto message upon that subject, and

"*Resolved*, That our senators in congress be instructed, and our representatives requested, to use their influence to prevent the rechartering of the bank of the United States; to sustain the administration in its removal of the public deposits; and to oppose the passage of a land bill containing the principles adopted in the act upon that subject, passed at the last session of congress.

"*Resolved*, That the governor be requested to transmit copies of the foregoing preamble and resolutions to each of our senators and representatives."

It is thus seen that four senators have declared by their votes that the president, in the late executive proceedings in relation to the revenue, had been guilty of the impeachable offence of "assuming upon himself authority and power not conferred by the constitution and laws, but in derogation of both," whilst the legislatures of their respective states had deliberately approved those very proceedings, as consistent with the constitution, and demanded by the public good. If these four votes had been given in accordance with the sentiments of the legislatures, as above expressed, there would have been but twenty-four votes out of forty-six for censuring the president, and the unprecedented record of his conviction could not have been placed upon the journals of the senate.

In thus referring to the resolutions and instructions of state legislatures, I disclaim and repudiate all authority or design to interfere with the responsibility due from members of the senate to their own consciences, their constituents and their country. The facts now stated belong to the history of these proceedings, and are important to the just development of the principles and interests involved in them, as well as to the proper vindication of the executive department; and with that view, and that view only, are they here made the topic of remark.

The dangerous tendency of the doctrine which denies to the president the power of supervising, directing and removing the secretary of the treasury, in like manner with the other executive officers, would soon be manifest in practice, were the doctrine to be established. The president is the direct representative of the American people, but the secretaries are not. If the secretary of the treasury be independent of the president in the execution of the laws, then is there no direct responsibility to the people in that important branch of this government, to which is committed the care of the national finances. And it is in the power of the bank of the United States, or any other corporation, body of men or individuals, if a secretary shall be found to accord with them in opinion, or can be induced in practice to promote their views, to control, through him, the whole action of the government, (so far as it is exercised by his department), in defiance of the chief magistrate elected by the people and responsible to them.

But the evil tendency of the particular doctrine adverted to, though sufficiently serious, would be as nothing in comparison with the pernicious consequences which would inevitably flow from the approbation and allowance by the people, and the practice by the senate, of the unconstitutional power of arraigning and censuring the official conduct of the executive, in the manner recently pursued. Such proceedings are eminently calculated to unsettle the foundations of the government; to disturb the harmonious action of its different departments; and to break down the checks and balances by which the wisdom of its framers sought to ensure its stability and usefulness.

The honest differences of opinion which occasionally exist between the senate and the president, in regard to matters in which both are obliged to participate, are sufficiently embarrassing. But if the course recently adopted by the senate shall hereafter be frequently pursued, it is not only obvious that the harmony of the relations between the president and the senate will be destroyed, but that other and graver effects will ultimately ensue. If the censures of the senate be submitted to by the president, the confidence of the people in his ability and virtue, and the character and usefulness of his administration, will soon be at an end, and the real power of the government will fall into the hands of a body, holding their offices for long terms, not elected by the people, and not to them directly responsible. If, on the other hand, the illegal censures of the senate should be resisted by the president, collisions and angry controversies might ensue, discredit to their progress, and in the end compelling the people to adopt the conclusion, either that their chief magistrate was unworthy of their respect, or that the senate was chargeable with calumny and injustice. Either of these results would impair public confidence in the perfection of the system, and lead to serious alterations of its frame work, or to the practical abandonment of some of its provisions.

The influence of such proceedings on the other departments of the government, and more especially on the states, could not fail to be extensively pernicious. When the judges in the last resort of official misconduct themselves overleap the bounds of their authority, as prescribed by the constitution, what general disregard of its provisions might not their example be expected to produce? And who does not perceive that such contempt of the federal constitution, by one of its most important departments, would hold out the strongest temptation to resistance on the part of the state sovereignties, whenever they shall suppose their just rights to have been invaded? Thus all the independent departments of the government, and the states which compose our confederated union, instead of attending to their appropriate duties, and leaving those who may offend, to be reclaimed or punished in the manner pointed out in the constitution, would fall to mutual crimination and recrimination, and give to the people confusion and anarchy, instead of order and law; until at length some form of aristocratic power would be established on the ruins of the constitution, or the states be broken into separate communities.

Far be it from me to charge, or to insinuate, that the present senate of the United States intend, in the most distant way, to encourage such a result. It is not of their motives or designs, but only of the tendency of their acts, that it is my duty to speak. It is, if possible, to make senators themselves sensible of the danger which lurks under the precedent set in their resolution, and at any rate to perform my duty, as the responsible head of one of the coequal departments of the government, that I have been compelled to point out the consequences to which the discussion and passage of the resolution may lead, if the tendency of the measure be not checked in its inception.

It is due to the high trust with which I have been charged; to those who may be called to succeed me in it; to the representatives of the people, whose constitutional prerogative has been unlawfully assumed; to the people of the states; and to the constitution they have established; that I should not permit its provisions to be broken down by such an attack on the executive department, without at least some effort "to preserve, protect, and defend them." With this view, and for the reasons which have been stated, I do hereby **solemnly protest** against the aforementioned proceedings of the senate, as unauthorized by the constitution; contrary to its spirit and to several of its express provisions; subversive of that distribution of the powers of government which it has ordained and established; destructive of the checks and safeguards by which those powers were intended, on the one hand, to be controlled, and on the other to be protected; and calculated by their immediate and collateral effects, by their character and tendency, to concentrate in the hands of a body not directly amenable to the people, a degree of influence and power dangerous to their liberties, and fatal to the constitution of their choice.

The resolution of the senate contains an imputation upon my private as well upon my public character; and as it must stand forever on their journals, I cannot close this substitute for that defence which I have not been allowed to present in the ordinary form, without remarking, that I have lived in vain, if it be necessary to enter into a formal vindication of my character and purposes from such an imputation. In vain do I bear upon my person, eulogies and memorials of that contest in which American liberty was purchased—in vain have I since periled property, fame, and life, in defence of the rights and privileges so dearly bought—in vain am I now, without a personal aspiration, or the hope of individual advantage, encountering responsibilities and dangers, from which, by mere inactivity in relation to

a single point, I might have been exempt—if any serious doubts can be entertained as to the purity of my purposes and motives. If I had been ambitious, I should have sought an alliance with that powerful institution which even now aspires to no divided empire. If I had been venal, I should have sold myself to its designs—had I preferred personal comfort and official ease to the performance of my arduous duty, I should have ceased to molest it. In the history of conquerors and usurpers, never, in the fire of youth, nor in the vigor of manhood, could I find an attraction to lure me from the path of duty; and now, I shall scarcely find an inducement to commence, their career of ambition, when gray hairs and a decaying frame, instead of inviting to toil and battle, call me to the contemplation of other worlds, where conquerors cease to be honored, and usurpers expiate their crimes.

The only ambition I can feel, is to acquit myself to Him to whom I must soon render an account of my stewardship; to serve my fellow men, and live respected and honored in the history of my country. No; the ambition which leads me on, is an anxious desire, and a fixed determination, to return to the people, unimpaired, the sacred trust they have confided to my charge; to heal the wounds of the constitution and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government, supported by powerful monopolies and aristocratical establishments, that they will find happiness, or their liberties protection; but in a plain system, void of pomp, protecting all, and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt, save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires—such an one only under which our states may remain for ages to come, united, prosperous, and free. If the Almighty Being who has hitherto sustained and protected me, will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate with pleasure the place to be assigned me in the history of my country, and die contented with the belief, that I have contributed, in some small degree, to increase the value and prolong the duration, of American liberty.

To the end that the resolution of the senate may not be hereafter drawn into precedent, with the authority of silent acquiescence on the part of the executive department; and to the end, also, that my motives and views in the executive proceedings denounced in that resolution, may be known to my fellow citizens, to the world, and to all posterity, I respectfully request that this message and protest may be entered at length on the journals of the senate.

ANDREW JACKSON.

April 15th, 1834.

[The preceding, we understand, is from the amended copy. See the journal of the senate, &c.]

IN THE SENATE—APRIL 21.

To the senate of the United States:

Having reason to believe that certain passages contained in my message and protest, transmitted to the senate on the 17th instant, may be misunderstood, I think it proper to state that it was not my intention to deny, in the said message, the power and right of the legislative department to provide by law for the custody, safe keeping, and disposition of the public money and property of the United States.

Although I am well satisfied that such a construction is not warranted by any thing contained in that message, yet aware, from experience, that detached passages of a argumentative document, when disconnected from their context, and considered without reference to previous limitations, and the particular positions they were intended to refute or to establish, may be made to bear a construction varying altogether from the sentiments really entertained and intended to be expressed; and deeply solicitous that my views on this point should not, either now or hereafter, be misapprehended, I have deemed it due to the gravity of the subject, to the great interests it involves, and to the senate, as well as to myself, to embrace the earliest opportunity to make this communication.

I admit, without reserve, as I have before done, the constitutional power of the legislature to provide by law the place or places in which the public money or other property is to be deposited; and to make such regulations concerning its custody, removal or disposition, as they may think proper to enact. Nor do I claim for the executive any right to the possession or disposition of the public property or treasure, or any authority to interfere with the same, except when such possession, disposition, or authority, is given to him by law; nor do I claim the right in any manner to supervise or interfere with the person entrusted with such property or treasure, unless he be an officer whose appointment, under the constitution and laws, is devolved upon the president alone, or in conjunction with the senate, and for whose conduct he is constitutionally responsible.

As the message and protest referred to may appear on the journal of the senate, and remain among the recorded documents of the nation, I am unwilling that opinions should be imputed to me, even through misconception, which are not contained in it; and more particularly am I solicitous that I may not be supposed to claim for myself, or my successors, any power or authority not clearly granted, by the constitution and laws, to the president. I have, therefore, respectfully to request that this communication may be considered a part of that message, and that it may be entered therewith on the journals of the senate.

ANDREW JACKSON.

April 21, 1834.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 10—VOL. X.] BALTIMORE, MAY 3, 1834. [VOL. XLVI. WHOLE No. 1,180.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

To dispose of some portion of a large quantity of matter which has accumulated in type (being postponed last week and in the present), we shall, with our next number, issue a supplement to this, and be also compelled to give others to keep decently posted-up in our record of public papers and proceedings.

The president, it appears, again nominated the old bank directors who had been rejected by the senate—and, on Thursday evening last, (the injunction of secrecy being removed), we learn that they were again rejected by the great vote of 30 to 11. The proceedings on their case will soon be published.

The votes are not given, and the absentees are unknown. It is stated that Messrs. *Moore*, of Alabama, *King*, of Georgia, and *Tipton*, of Indiana, voted with the majority.

There are several fearful reports in circulation—such as that the president will issue a *proclamation* as soon as the senate decides not to receive his protest, and that a gathering is already making at Washington to support him, in certain *ulterior* measures. We question the propriety of mentioning such things, unless there should be a very good foundation for them—but as they have been freely intimated, we think it right to notice them; observing, however, that in times of such high excitement as the present, the people should receive like reports with great caution—for they are, indeed, of awful import.

It is freely stated that a clause will be inserted in the general appropriation bill, forbidding the payment of their salaries to persons in office, whose appointment shall not have been approved by the senate.

The United States insurance company, at Baltimore, stopped payment on Wednesday last.

This company, and another establishment in the same street, we believe are on the principle of the "Life and Fire insurance company," which, some time ago, "flourished" its brief day, and died in New York. If we are rightly informed of the nature and operation of these insurance companies, they run thus: a person wishing to "raise the wind," and distrusting the credit of his own note, or to prevent its exposure in the "market," or having securities of any description, or goods or other property, deposits, or makes a lien of, such notes, securities, goods or property with the insurance company, promising the payment or redemption of them at a particular time—on which, as agreed upon, and for a certain *per centum* charged, the insurance company issues what is called a *policy*, promising payment on a certain day of the amount stipulated; which policy goes into the "market," instead of the credit or property of the insured. The selling price of these policies, (whose parent, or at least *nurse*, was in the removal of the public deposits from the bank of the United States), has been from 1½ to 2½ per cent. per month, discount—and, at this rate, there is reason to believe that *several millions* have been *shaved* in Baltimore within the period of the last six months. It might have endured yet a while longer, perhaps—but confidence in these policies declined, or their amount was greater than the state of the money market would bear, and it became difficult to sell them; and then it naturally followed, that, as the *insured* could not raise funds to meet their obligations, the *insurers* were rendered unable to comply with theirs, and the parties fell together—though in fact, either party, or both parties, may be, or would be, entirely solvent in a different state of affairs, when *credit* and *money* should be nearly synonymous terms, which they are not now!!!

On the subject of certain things which have happened in the management of *credits* in this city, for some  
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months past, perhaps, we shall feel it a public duty to speak freely. If the whole could be unravelled, strange tales would be unfolded! But we think it best, at present, to refrain, that *honest* men may escape, if it be possible, some greater proportion of the suffering that impends on account of the derangement of the money market, than they probably would do under the exposure of speculators and gamblers and shavers, as suggested.

We present the views of the secretary of the treasury as to the future regulations of the currency. We think they are defective, in several material points—even if *practical* men, and others, who have reflected upon the principles of *currency* and laws of *exchange*, should admit the *possibility* of some of the facts *proposed*. The state banks *cannot*, and, if they can, *will not*, furnish us with a circulating medium of equal value in all parts of the United States, nor carry on the interior commerce of the country, as dependent upon the promptitude and safety of exchanges of values. The *individual* interest, or *particular* condition, of each of the independent banks, forbids the hope that, by any possible arrangement, they can be brought to act together, for a common purpose. Such an event never has happened, and never will, over so wide a country as the United States. There are parts of the secretary's letter, however, that we most heartily approve of—such as fixing a *just* valuation on our gold coins, and the abolition of small bank notes, as long since suggested by us.

But we think that the general effect of the plan must be to encourage the establishment of many new banks, or fresh manufactories of paper money. Much alarm is expressed at the power of the bank of the United States, because of the amount of its capital—35 millions; but the contemplated creation of certain new state banks, with proposed aggregate capitals of some 75 or 80 millions, did not at all startle these *alarmed* individuals! Is it not better to have one "monster" than ten monsters? One whose interest is the prosperity of the *whole* people of the country, or ten whose power is in action against one another, for the benefit of adverse sets of gambling speculators? The power of a bank of the United States may be restrained, and ought to be restrained, if rechartered—but how is the power of the state banks, charged with the keeping of the public money, to be restrained? Why, the right of congress to inquire even into the condition of the bank of the Metropolis, *the deposit bank in the District of Columbia*, is "questioned" by some of the leaders of the anti-bank party in congress, though chartered by congress! Many of the local banks are admitted to act on old fashioned and just principles of banking, their management being in the hands of intelligent and worthy men—but the nature of their constitution, and the laws which govern the currency, incapacitate them to carry on the exchanges, unless at ruinous rates—rates equal, in practice, to the cost of transporting specie from one place to another, as balances accumulate; but the bank of the United States, in the exchanges which it made in one year, (250 millions!) to and from distant places, charged only an average rate of one-eleventh of one per cent. which, certainly shews that a small expense, only, could have been incurred in transmission of specie, else the bank would have lost much money by its exchanges, and these give life and vigor to business—money, coin, deposited at New Orleans, being made available at Portland, without trouble or risk to the owner, or even at *Canton*, through the parent bank at Philadelphia. Such is the effect of harmonious co-operations, which may thus be exemplified, for an example: the cashier of the office of the bank at New York notifies the cashier of the parent bank in Philadelphia, that a million of dollars is required by the merchants of New York to purchase cotton, at N. Orleans. The cashier at Philadelphia, by order of the board, informs the cashier at N. Orleans

that such draughts will be upon him, and directs the purchase of bills on the north more freely, if offered, or a restriction of the domestic loans, that he may meet this new demand, as rendered necessary by the actual condition of the New Orleans office; and so the million sold at New York, is paid at New Orleans, and repaid at New York, without the passing of a single silver dollar between the two cities, the bills either way, *being better than coin, at either place, as needed.*\* But the state deposit banks, each acting for itself only, cannot proceed thus, unless to a very limited extent, and are altogether incompetent to afford those facilities upon which the mighty internal trade of the country depends. Such are the results of *experience* against "the experiment" that is making—and such they must be.

We have heard some curious anecdotes of certain of the "perish credit" members of congress. None of them send any portion of their pay home in bills of the bank of the Metropolis!—and they will take precious care, at the close of the session, to carry with them their surplus money remaining in notes or bills of the bank of the United States. *They will not suffer their own money to "perish" in their pockets, out of the dear sweet regard that they have for the "poor," or in earnest of their own belief in truth of those doctrines which they support in the house!* No—verily, no!

The late proceedings at Baltimore have offended Mr. Forsyth, and he has arraigned the people before the senate, especially on account of gathering on Sunday, when Messrs. Webster and Binney briefly addressed them. He is charged with having said that they made a "wretched clamor," as being "factious" and "almost guilty of treason;" but on the following day—

Mr. Forsyth rose against fearful odds, but he recollected a saying of the poet, that "thrice is he armed that hath a quarrel just." He did not say that the meeting in Baltimore was a faction, but that they were prompted by factious feelings. He spoke not of treason either, but of designs to exasperate the people to treasonable acts, unless they submitted to the power of a great moneyed corporation. Here Mr. F. read a passage from a Baltimore paper to sustain this remark.

Mr. Webster said that, as allusion had been made to occurrence in which he had some part, he would state, that when he arrived in Philadelphia, on Sunday morning last, he heard of the late extraordinary occurrence in sending the protest here, which induced him to come on to Washington without delay. When he arrived at Baltimore, he saw a great multitude of people assembled; they were not noisy or clamorous, but a deep feeling seemed to pervade them. When the boat reached the wharf, a venerable person came on board and said to him, these were revolutionary times, and the people had come down to express their hopes and fears. They were not exasperated by a spirit of faction, but they felt an exasperation of patriotism; they were exasperated by suffering, by threats of usurpation, feelings which called crowds to the streets, though it was Sunday. These masses of people assembled from the general spirit and feeling of oppression, fearing the worst. But the streets of Baltimore were filled by this spirit of faction, and against whom? That city was remarkable for its hospitality, its virtue, its high spirit of patriotism and enterprise, and its former devotion to the present chief magistrate, and was moved by no spirit of faction.

On which the "Baltimore Gazette" remarks—

We cannot answer for the secret intentions or feelings of the meeting in Baltimore described by Mr. Forsyth as prompted by factious feelings, but to our own knowledge the assemblage who received Mr. Webster and Mr. Binney, on Sunday last, comprised many of our most estimable citizens, and was generally composed of persons as respectable in appearance, and as orderly in deportment, as could be collected together in any city, on an occasion of public interest and moment. They certainly did not deserve the appellation used by Mr. Forsyth in another part of his remarks, of a "brawling crowd."

Previous to Mr. Forsyth's explanations, Mr. Chambers earnestly defended the character of the Baltimoreans. Certainly, ours has long been one of the most peaceable and orderly cities in the world; and, whatever objections may be made to the gathering to meet Messrs. Webster and Binney, a more respectable and better behaved people cannot be found, than was shewn on that occasion.

[We have since received a full report of these debates, but cannot make room for it now.]

\*It is proper, however, to add that this late state of things is much embarrassed by the existing hostile acts of "the government," and that the bank is compelled, in many cases, to rely on coin, for the regulation of exchanges.

Mr. McDuffie reached Baltimore in the afternoon of Saturday last, on his return to Washington, and was received by from 1,500 to 2,000 people, who were waiting on the wharf for the purpose. He was escorted to the City Hotel, and, from the steps, addressed the crowd, (now increased to about 3,000 persons), in as earnest a speech, perhaps, as he ever pronounced—and the manner of its delivery was not less forcible than the matter of his remarks. Mr. McD. spoke for about half an hour; and, while at one moment he produced a roar of laughter, in the next he commanded the entire attention of the audience, or elicited loud shouts of applause.

The brief addresses of Messrs. Webster, Binney, McDuffie and Preston, to assembled multitudes in Baltimore, and the manner in which they were received, shew a new state of feelings and of things in this city. When Mr. McDuffie said that ten days after the entrance of soldiers into the senate chamber, to send the senators home, that 200,000 volunteers would be in Washington—there was such a shout as we have seldom before heard.

Concerning the appointment and duration of officers, the "Globe," in reply to the charge that the president has violated the constitution in so long withholding from the senate the nominations of several members of the present cabinet, quotes the provision of the constitution empowering the president to fill up all vacancies that may happen during the recess of the senate, *by granting commissions which shall expire at the end of their next session.*

This goes to the extent, that the president may fill the offices perpetually, unless a vacancy happens during the sittings of the senate; and Mr. Taney, for an example, may remain in his place, though not approved, during the whole of the presidential term:—for Mr. T. may resign, and be reappointed, the day after the rising of congress.

The prompt submission of Mr. Rives to the "right of instruction" by the legislature of a state, by way of an appeal to the people of Virginia, being accepted of in the recent elections, brought up some extracts from the "Richmond Enquirer" of Jan. 13, 1820, of which it is only necessary to use the following:

*Resolutions, debate and vote on the Missouri question and right of instruction.*

The 4th resolution reported by Mr. Miller, of Powhattan, from a select committee on the Missouri question, instructed the senators of Virginia, to oppose the imposition of restrictions upon the state of Missouri, on entering the union.

The 4th resolution being under consideration, Mr. Henry Carrington, of Charlotte, moved to amend the same by striking therefrom the words, *instructing the senators of Virginia in congress.*

Mr. Carrington contended that the legislature had no right to instruct them on a constitutional subject. They being by their oaths bound to support the constitution, the legislature could not dictate to them on questions of conscience.

Mr. Miller, of Powhattan, contended it had been the uniform practice of Virginia to instruct her senators; it had been sanctioned by Patrick Henry; and now, when Pennsylvania had just abandoned the doctrine, it was peculiarly incumbent upon us to adhere to it.

Mr. Stevenson (Andrew) hoped we should not in this case, imitate the conduct of Pennsylvania; and believing the right of instruction to be a vital one, he should move for the yeas and nays.

Mr. Selden (present register of the land office) expressed himself strongly in favor of the right of instruction—that even Mr. Giles, the Ajax Telamon of the other side, admitted the power of the legislature to instruct, though he asserted the right of the senator to judge in the last resort.

Mr. RIVES was strongly opposed to the right of instruction: he remarked that the doctrine set up by Mr. Giles, involved a quibble unworthy of his distinguished mind; that what we mean by the right of instruction was, that we might command the senator, and that he was bound to obey.

The question was put upon Mr. Carrington's motion, and it was rejected, yeas 38, nays 142.

Mr. Rives was one of the thirty-eight who voted in the affirmative.

Mr. Leigh was elected a senator from Virginia by a majority of twelve votes, and certain papers say that the "clear gain against him" is already sixteen; so Mr. L. will not be re-elected, and his period of service expires on the 4th of March, 1835! But—though it appears pro-

bable that the senate of Virginia will remain as it was, other papers inform us, that the returns as heard from shew 68 delegates chosen who will certainly vote for him, and 35 delegates who may not vote for him, the whole number being 134.

Mr. Ritchie is much distressed about these things—but says that Virginia will go against a reclaimer of the bank, and vindicate the principles of the constitution.

"Blessed are they who bring consolation!"

The following extract of a letter from Amherst (published in the "Enquirer"), may shew the manners of the times:

"The election for Amherst is over, and her democracy lies prostrate at the feet of the bank." The myrmidons of power in Lynchburg, holding a fair portion of the county in "bonds," and owning no inconsiderable portion of her soil, poured forth their utmost strength—the Jupiter of aristocracy

"Shook his ambrosial locks, and gave the nod,

The stamp of fate and fiat of a God."

It is supposed that the house of delegates will stand about 50 "Jackson" and 84 "opposition." There is still a "Jackson" majority of 2 in the senate, as heretofore. The effect of the "protest," however, on the members elected before it was received in Virginia, is yet to be seen. The "Enquirer" freely admits that it has been adverse to the administration.

The "Whig" has added up the returns of the first 52 counties received, and says that, in 1832, they gave a majority of about 10,000 to "Jackson and Van Buren"—but now a majority of 3,257 against them.

In Westmoreland, "the native county of Washington," the late member has been dismissed, and a decided anti-administration man put in his place, by a majority of nearly two to one.

At the holding of the election in Jefferson county, the people also voted for or against a restoration of the deposits—the votes taken were 299—to wit: for 275, against 24.

The steamboat arrived yesterday at Baltimore, brought returns of the election, in Accomack. The vote is reported 2 to 1 against "Jackson"—last year it was nearly divided. The "protest," however, arrived only on the day of the election.

It is stated, in the way of reproof, that a *Tennesse* member of congress franked many packages of political matters to certain persons in Virginia, just previous to the late election. This is not a new thing. Nearly every voter in one of the election districts in Maryland, some few years ago, was supplied with such matters by favor of a member of congress from Kentucky, three hundred packages arriving by one mail.

It is stated that every county in Mr. Speaker *Stevenson's* district, has entered a "protest" against the political course pursued by him, by electing anti-Jackson members to the legislature of Virginia, having dismissed even Mr. *Roane*, who was one of the chiefs of the party in the late house of delegates, and also one of the most distinguished citizens of Virginia. Will Mr. S. receive *this* "instruction?"

There is no manner of doubt, if the elections of members of congress were now to take place, that a large majority would be returned opposed to "the experiment," and other proceedings of "the government." There would be three changes in Maryland—perhaps four, or of all who support these proceedings.

The following article, with all its *capitals* and *italics*, is copied from the "New York Standard," the *official* in that city. It needs no comment. It refers to the reception of the protest.

Guilt and terror were depicted on the countenances of the USURPERS in the senate. The facts and reasoning of the document were too conclusive for reply, and its eloquence powerful enough to reach the heart of every patriot and honest man. After a pause, Poindexter, who skulked at the battle of New Orleans, and has never forgiven general Jackson for refusing to certify to his bravery, ventured to break ground, and pour out a torrent of abuse upon the head of the old patriot. He moved that the protest should not be entered on the journals. He was followed by those traitors to their constituents, Sprague and Fitchinglyusen. Benton then obtained the floor, and poured forth a torrent of eloquence, of which it is sufficient to say, he exceeded all his former efforts. He gave notice that he should

move to EXPUNGE THE UNCONSTITUTIONAL RESOLUTION FROM THE JOURNALS OF THE SENATE. The opposition were more terrified than ever. Southard followed in a miserable apology for voting for the resolution, and betraying his constituents. He was followed by Mr. King, of Alabama, in an eloquent defence of the president. Mr. Leigh then obtained the floor, and moved an adjournment, which was carried.

The USURPERS of the senate will not suffer the protest to go upon their journals. Having found the president guilty without a trial, they will not allow him the last privilege of condemned innocence—that of saying why *sent*. *ec* should not be pronounced against him, and stand forever recorded in the journals of the senate.

There has been a great meeting in N. York to receive the report of the "Whig delegation," sent to Philadelphia, to unite in the "jubilee," at which, after the delivery of several speeches, many resolutions were passed, and a strong committee raised to call a meeting of those opposed to the principles set forth in the late protest of the president, &c. of which Mr. Gallatin is the chairman.

A man has been arrested, and is to be tried at New York, for having off red a bribe to another to enlist him in an attack upon the Mercantile Exchange, at the late election! He said that he had engaged "a company of 100 stout Irishmen at a dollar each," for that purpose.

Many incidents like the following, copied from the Taunton, Massachusetts, "Whig," may be expected, in the present state of things. Wages *must* be reduced, or the demand for labor more rapidly diminished. The idea of perilling the lives of persons, however, because they will not pay high wages, cannot be tolerated, though the practical operation of it is one of the results that we have feared from "the experiment," which, having first struck at employers, is now being felt by the employed, and will yet make the "poor poorer."

We understand (says the Taunton Whig) that a very serious riot occurred on the line of the rail road in Mansfield, on Monday last. The Irish laborers to the number of about four hundred, struck for higher wages and demanded a daily allowance of grog. They armed themselves with clubs, &c. attacked one of the contractors, whose life was put in imminent peril. Great alarm was felt by the inhabitants in the vicinity of the road. The high sheriff of Norfolk proceeded to the scene of hostilities, with a company of militia, and succeeded in arresting nine of the ringleaders, who were lodged in the jail at Dedham. Mr. L. Sweet, a deputy sheriff of this county, also called out a company of militia, and arrested six of the rioters, who were brought to the jail in this town, yesterday morning. The militia continued under arms all night, and yesterday, we are informed, order was fully restored.

A new paper, entitled "*The North American*," was recently established at Washington, as, it is said, for the support of Mr. Van Buren as the next president of the United States, by means of a national convention. The character of the paper may be appreciated from the following extracts made from it. To show its purposes, the editor says—

"However unfounded the supposition [that Mr. Blair is influenced by interested motives] the editor of the *Globe* is obliged to act with reference to it. He is no doubt, obliged, by the peculiar position in which the supposition places him, to be more circumscribed in his support of the administration, and more lenient and forbearing to its enemies, than is demanded by the ends of truth and justice, and the good of the country, and of the cause in which he is engaged."

We shall add another—

"It but remains for us to say, in addition to this explanation of our opinions, and intended course, that we shall urge upon the attention of the national convention, Martin Van Buren as our favorite candidate for the next presidency. We have long noted with attention and interest, the public life of that gentleman, and have never failed to find him orthodox in his democracy, sound and enlightened in his views of public measures, and able and manly in his intellectual efforts. He has been true to the republican party, and in his friendship to Jackson, amid all the assaults of his enemies, and as Jacksonian and democrats we will stand by him until the convention shall pronounce him wanting and prefer another, when we shall cheerfully acquiesce in that choice, let it be for whom it will, as we have a perfect confidence that it cannot fall on any man unworthy of the presidency."

Though it seemed due to the record of events which it is the leading purpose of this work to make—we have endeavored to keep our skirts clear of controversial publications concerning masonry and anti-masonry, having

had more of other matters on hand than we could dispose of. The recently re-elected governor of Rhode Island is an anti-mason, and was not long ago a "national republican," but he received the undivided support of the administration, or Jackson party, in that state. The simple mention of these things seemed necessary to introduce the following address to the printer:

Socrates, that great sage and moralist of antiquity, was once told that a certain man had spoken evil of him. Socrates replied, "I have no doubt he had *some* reason for saying so, but I shall endeavor so to live for the future, that the world may believe that he did not tell the truth of me."

This is my story: now for the application. While I was fighting in the anti-masonic party, I was often charged by my opponents, that, if we should procure from the general assembly all we asked of them, or all they could give, we should still keep up the party, merely for *power* and *office*, regardless of the good of the country.

I always resented this foul charge against me with indignation, and trusted to a clear conscience, and the testimony of future time, for a justification.

Having procured from the general assembly all we could ask, or they could give, I yesterday purged myself from the above charge, by voting, as I thought, for the good of the state and nation, without reference to masonry or anti-masonry.

In conclusion, I will now declare—not rashly—not from any feeling of disappointment, but from a well settled and deliberate conviction, that I believe, and I know many candid men who sustain me in it—that the adhering political anti-masons of Rhode Island have injured the state and nation more, by their conduct yesterday, than the freemasons of Rhode Island have since the days of Roger Williams.

WM. I. TILLINGHAST.

Providence, April 17, 1834.

It will be recollected that when Messrs. *Benton*, *Samuel*, and others, talked so much and so loudly about "retrenchment" and "reform," that a very long and exciting debate took place in the house of representatives on a proposition to abolish the place of draughtsman to the house, as many supposed, on account of the accomplished gentleman who happened to fill it! The correspondent of the "Portland Advertiser," noticing a late debate, on the proposition of Mr. J. Q. Adams to strike out the amount in the general appropriation bill providing for the payment of an additional clerk in the department of state, says—

"And so the debate run on, as water runs down a hill, or the fountain flows in front of the capitol—but there was not much in it—till col. *Crockett* arose. Now every pen was dropped—every head was aroused—every eye was fixed—every whisker was hushed! None but orators can throw such a calm over the stormy waters—and, therefore, the colonel must be an orator: Friends and enemies rallied around. The galleries hurried to the balustrades—and the colonel began. There is some men whom you cannot report. The colonel is one. His leer you cannot put upon paper—his curious drawl—the odd cast of his body and his self-congratulation. He is an original in every thing, in the tone and structure of his sentences, in the force and novelty of metaphors, and his range of ideas. 'I thought,' said the colonel, 'when in 1836 the gentleman from New York, (Mr. Cambreleng) was for cutting down the office of draughtsman, it was reforming a little to get more. It was like the children on the branch of a great tree hanging over the river, sitting there and fishing with pin hooks to catch minnows. It was like shearing a hog—great squeal and little wool.'

"McDuffie's most potent thunder, Burges' wit, Binney's logic, could not have won such a burst of applause from the magnates of the land. The colonel sat down with delight—and the members here and there gave him a shake of the hand, as they often do when a man does a wonderful thing."

Speaking of "retrenchment and reform" we may add the following from a bill reported in the house of representatives, by the committee on public buildings.

For alterations and repairs of the president's house, flooring the terraces, and erecting stables	\$6,670
For the gardener's salary, and for laborers employed upon the grounds and walks of the president's house, and for planting	2,850
For paving foot ways at the north front of the president's house, and making a Macadamized carriage way	13,744
For planting trees and repairing the fence in Lafayette square, north of the president's house	1,000
For completing the water works at the president's house, and executive buildings	1,052
For completing the furniture of the president's house	6,000
For excess of expenditures beyond the appropriations made by the late commissioner of the public buildings during the last year	22,930

One of the most beautiful excursions in the United States may now be made, with much promptitude and

without fatigue, from Baltimore to Harper's Ferry, by the Baltimore and Ohio rail road and the Chesapeake and Ohio canal, uniting in this pleasant little journey all that is sublime and beautiful in the works of nature, with the most splendid specimens of the works of art, condensing, as it were, every variety of mountain or valley, rocks piled on rocks, or fertile plains, mighty streams or silver rivulets—viaducts and aquaducts, and all that interests us in the construction of rail roads or canals, including deep-cuts and side-cuts and embankments, &c. on the greatest scale. A packet boat leaves the Point of Rocks for Harper's Ferry, immediately after the arrival of the rail road cars. The distance, about 80 miles, is performed in 10 or 11 hours.

Mr. Mills made a second ascent in his balloon, from Fair Mount, Baltimore, on Thursday evening last. It was the most grand as well as most beautiful exhibition of the kind that we ever witnessed. He stood suspended nearly over the city for more than half an hour, when, a current of air springing up, drove the balloon a S. S. E. course. He landed safely.

The grand jury of Davidson county, North Carolina, has solemnly presented Andrew Jackson, as having disappointed the reasonable expectations of the people; and for his arbitrary, despotic and unconstitutional conduct, &c. We give place to this proceeding in a subsequent page as one of the curiosities of these our days—not as approving of such doings by grand juries.

The notorious *Weirick*, the postmaster and mail robber, has been released from the penitentiary by the president of the United States, to which he was sentenced for 21 years—and a son of the postmaster at Middletown, Maryland, has been arrested for robbing the mail. He has confessed his guilt. His robberies amount to 2,000 dollars.

The town of York, Upper Canada, is now called the *City of Toronto*—and among the aldermen lately chosen is Mr. McKenzie, so often voted into parliament by the people, and so often cast out through the influence of the officers of the crown.

We have heard a great deal about the horrors of Sing Sing prison, New York; and the sympathy of the "dear sweet people" have been called upon to relieve the poor sufferers! Comparatively honest persons, we well know, are oftentimes the inmates of our penitentiary establishments—there are individuals whose depredations on society have a greater amount than lots of an hundred inhabitants of our state prisons, and there is a prospect that we shall have more "rag-barons," gamblers in the stocks, and more honest "blacklegs," and every sort of speculators, than all of them will contain—*comfortably*; as the chaplain of New-Gate said, on examining a new "drop," that "*six might hang there comfortably!*" But how is it that so many encounter the "horrors" of Sing Sing, and other state prisons, a second and a third time? In the language of the poet, do they not say in their conduct—

"Horrors all hail?"

A large business has been lately done at Washington, in the pocket-picking line, even in the senate chamber, or in the gallery of the senate, during the exciting debates that have recently happened. Two of the gentlemen have just been apprehended, and, among other odd things found in their possession was a poem on the cruelties of Sing Sing!

There has been a large importation of well-dressed, and seemingly well-bred scoundrels from Europe, especially from England—all in favor of a removal of deposits; but even "the government" of New York thinks it right to *deposit* them, and retain them, in the vaults of Sing Sing. The depredations of these knaves may be counted by tens of thousands of dollars a year. We wish that "Father Bull" would keep them at home: they will write accounts of American manners!

CHARLESTON RAIL ROAD. The locomotive E. L. Miller, arrived yesterday afternoon at the depository with a

train of sixteen cars, containing three hundred and six United States soldiers, under the command of major Heileman, in company with the locomotive Charleston with eight cars, containing the baggage of the troops. The trip was performed from Aiken in ten and a half hours. The spectacle drew a large concourse of spectators, who were highly gratified. [*Patriot April 11.*]

**VIRGINIA.** A public dinner was given at Richmond, to gen. John Floyd, on the occasion of his retirement from the office of governor of the state. Besides the toast complimentary to him, the following were among the "regular" toasts, and will show the general temper of the company:

The senate of the United States—Representing the states, and nobly discharging the high functions assigned to it by the constitution, it stands a bulwark to protect the liberties of the people.

James Madison and Albert Gallatin—When the patriarchs of the republic are found in the ranks of the opposition to power, its supporters can have no right to appropriate to themselves the title of "the republican party."

"Reform"—The text was, that the patronage of the government should not be brought in conflict with the freedom of elections—the practical comment is the systematic prostitution of it to the subsidizing of the press and the reward of devoted partisans.

The retrenchment so vauntingly promised by the present administration—After five year's possession of power, the fulfilment of the promise is found in the insolvency of the post-office department, and the augmentation of the annual charges of the government from 13 to 22 millions.

The regency, in New York or Virginia—Its principle is to acquire power by intrigue, and rule the people by the instrumentality of their own offices and their own money. Virginia "will touch not, taste not, handle not, the unclean thing."

**SWITZERLAND.** The following is the plan of the federal constitution of Switzerland, which was to be presented to the assembly of the Zofingen, on the 26th February.—It is divided into two parts—general principles and special provisions. Among the general principles, the most important is that which declares the sovereignty of the nation. Paragraph 8 declares the Swiss territory to be one and indivisible, and stipulates a complete equality of rights for all the inhabitants. The liberty of the press and the freedom of discussion, are acknowledged without any restrictions. The first part of the compact, which comprises the general principle in 12 paragraphs, can never be altered. Among the special provisions, we observe by paragraph 13 the nation is divided into tribes, and the country into cantons. Paragraph 14 is in the following terms:

"The executive of the federal constitution is entrusted to a diet, the members of which are to be elected by the tribes in the proportion of the amount of their population.—Paragraph 17. The tribes of Switzerland are to contribute in proportion to their resources to the support and the expenses of the state.—Paragraph 18. The confederation will establish at its own charges such patriotic institutions as the tribes of themselves are enabled to establish.—Paragraph 19. The tribes will have the right of giving themselves special constitutions, but on the express condition that they are not at variance with the general federal constitution." [*National Gazette.*]

**BANKS—CURRENCY—AND THE TIMES.**

We regret that a line or two, intended to have been added to our notice concerning the notes of the banks of Virginia, was omitted—the purport of which was, that these notes were rapidly returning to a more moderate rate of discount, and then were only 2½ to 3 per cent. below par, or bank money, in Baltimore, at which rate they remain, and probably will be, for some time to come.

A letter from one of the most distinguished gentlemen of Mississippi, to the editor of the REGISTER, says—

"We are in as much distress in this quarter, and in those, I believe, than the people of your neighborhood, in consequence of the interruption which has taken place in our currency. We are an enterprising people—have a new country to settle, a valuable staple, and can use bank facilities to great advantage; and we deal largely in exchange, foreign and domestic." [He then speaks of great political changes which were happening because of the derangement of business, and general distress that attends it.]

The insolvent list for Baltimore, for the last week, has sixteen names, one of them from the county. We cannot identify one of the fifteen in the city, but find the names of three of them on the "no pressure" memorial to congress.

The New York papers say that treasury draughts on one of the deposit banks in that city, for the sum of \$400,000, have been made, for the purpose of placing the money in Baltimore or at Washington: 150,000 dollars in specie, arrived in Baltimore a few days since, whether to remain here, or pass on to Washington, we are not informed.

The bank committee of the house of representatives commenced business at Philadelphia last week. Richard Rush, former secretary of the treasury, has been appointed their secretary.

There are reports that the committee had demanded possession of the books, and the keeping of them, at their "own inn"—and that the same was, of course, refused. If one could laugh at things so grave—this presence of the committee of the house of representatives to possess the books of the bank of the United States, while Mr. Beardsley, and others, contend that congress has no power even to examine the books of the bank of the Metropolis, one of the deposit banks, and also chartered by congress—he might well laugh at such consistent doings.

It may well be questioned also, whether in the present relations of the government and the bank, there is any just right in congress to make a special examination of the affairs of the bank, unless as simple holders of a part of its stock? The deposits are withdrawn! But in any case, we much doubt whether such committee has power, (though heretofore partially exercised), of looking into the accounts of private individuals—that power not being vested in the directors themselves, unless on special occasions.

A sufficient amount of subscription has been made to the stock of the new state bank of North Carolina, (recently incorporated as a successor or substitute for the old state bank, now winding up), to authorise the bank's going into operation.

It is stated in the Albany Daily Advertiser that the tonnage received from New York, from the west, was 4,475 tons up to the 22d April, 1833—up to same date in the present year, 1,550 tons.

The board of directors of the Chesapeake and Ohio canal, have determined to issue promissory notes of five, ten and twenty dollars, payable one year after date, with four per cent. interest; and for the redemption of which, stocks of the state of Maryland, and of the corporation of Washington and Georgetown, will be placed in the hands of Phineas Janney, John P. Van Ness and William Price, as trustees, to an amount greater than it is proposed to issue notes; with authority in the trust to sell the stocks, and apply the proceeds to the payment of the notes when at maturity.

On the 3d and 4th ult. there were 200 protests in N. Orleans—but no others of consequence had happened up to the 10th, first rate paper being then only 15 per cent.

Mr. Hardin, in a speech concerning the banks of the District of Columbia, and especially to obtain an examination into the affairs of the bank of the Metropolis, gives a table of the public deposits, specie and circulation of the several deposit banks, the sums of which are as follows:

Public deposits.....	\$11,485,525*
Specie.....	3,376,309
Circulation.....	10,202,995

The deposit banks are 25.

**MISCELLANEOUS ITEMS.**

H. Johnson has consented to be a candidate to represent the New Orleans district in congress, at the next election.

Judge Porter, of the U. S. senate, from Louisiana, is a native of Ireland. His father, though a clergyman, fell a victim, in 1793, to the tyranny that destroyed the Emmetts and Tones, of Ireland, or drove them into exile from their native land.

We have a long list of reappointments made by the president and senate—and a few new appointments, chiefly in the revenue service.

Mr. Gates, the celebrated merchant at Montreal, recently died in that city; and a day or two afterwards, Mr. Bancroft, his associate in business, suffered an apoplectic attack, and also departed for that land whence no traveller returns. These events spread a general gloom over the people of Montreal.

Died on Monday last, in Baltimore, in the 64th year of his age, Philip Moore, esq. president of the Franklin bank in this city. He was an "honest man."

The house of capt. John C. Kissinger was lately destroyed by fire in Armstrong county, Pennsylvania, and with it nine of his children, the oldest about 19 years of age. Capt. K. and his wife were on a visit to her parents, about 8 miles distant. It is not known how this awful calamity happened. The bones of the deceased were found in the relative positions in which they slept, and renders it probable that they were all smothered before the fire reached them. The barn was also consumed, and with it one horse, two oxen, two hogs and a dog.

Col. Crockett arrived in Philadelphia on Saturday last, and in the evening attended the theatre, where he was received with great glee, by a very numerous body of the people.

\*This sum, perhaps, does not exceed 11 millions—for in two cases, one of them of no importance, the deposits, public or private, are returned en masse.

About 100,000 lbs. of wool were recently sold at public sale, in Boston. The sale went off with animation, and the prices equalled the expectations of the owners, though they were from 15 to 20 per cent. lower than last fall. Fleeced wool brought from 38 to 55 cents. After the public sale, about 60,000 pounds were taken at private sale, at some improvement on the auction prices.

The steamboat Protector was lately consumed by fire a few miles below Claiborne, Alabama. The passengers and crew narrowly escaped, but 200 bales of cotton, &c. were consumed in the boat.

As a steamboat was leaving Natchez on the 6th ult. a shot was fired from a house near the wharf, and a passenger killed. No cause is assigned for this atrocious act. It is the third time that the like has happened!

The complete returns of the late election in Connecticut give the following results:

Foot ("whig") .....	18,411
Edwards (Jackson) .....	15,844
Storrs (anti-mason) .....	2,398
Scattering .....	503

Total.....36,958

Foot's plurality over Edwards .....	2,557
Do. majority over Edwards and Storrs.....	169
Wanting to make a choice in consequence of the scattering votes.....	69

According to calculation, said to be exact, made from the Almanacs of Paris, and the different departments, there are in France, 1,700,843 doctors, and 1,400,651 sick persons; 1,900,492 lawyers, and last year only 993,000 suits.

The assessment upon the Liverpool and Manchester railway, for parish rates, is estimated on a rental of £3,200 per mile, or £96,000 for the whole thirty miles.

Mr. Potter, cashier of the Union bank, at Columbia, Tenn. was knocked down near the bank, at 10 o'clock at night, and rendered insensible, and then badly stabbed—after which the keys were taken from him, and the bank robbed of \$19,000. Mr. P. was accidentally discovered some time after the whole affair had been finished. It was expected that he would recover.

Alouzo Phelps, a murderer and highwayman, broke jail at Vicksburg, on the day previous to the one appointed for his execution, and, while running from the prison, was killed by the sheriff with a rifle.

Perfect toleration on religious subjects has been proclaimed in Venezuela, and the bishop of Barbadoes had arrived at Lagaira to establish an Episcopal church there. The president, Paez, would assist at the ceremony. Under such proceedings, we hope for a better state of things.

The Pittsburgh Gazette of Saturday mentions that about nine hundred old soldiers have been paid their pensions, at the branch bank of the United States, in that city, since the 3d of March. The total amount paid exceeds forty thousand dollars.

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 TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

April 25. Mr. Webster presented a memorial from 3,000 citizens of Ontario county, New York, against the removal of the deposits—referred, &c.

Mr. Clay presented the proceedings and resolutions of a public meeting in the district of Hanover, York county, Pa. against the removal of the deposits. There was considerable debate on the presentation of these proceedings, in which Messrs. Clay, Forsyth, McKean and Brown took part. They were, temporarily, on motion of Mr. Wilkins, laid on the table.

The senate then proceeded to the consideration of the special order, being the modified resolutions of Mr. Poindexter, on the president's protest, &c.

The question being on the motion of Mr. Bibb to amend, Mr. Bibb obtained the floor at half past 2, and addressed the senate in favor of his amendment; but before he had concluded, he gave way to a motion to adjourn; when the senate adjourned till Monday.

April 28. Memorials, proceedings of public meetings, &c. disapproving of the removal of the deposits were presented as follows: by Mr. Tyler, from the young men of Richmond and Manchester, Va.; by Mr. Leigh, from citizens of Gloucester county, Va.; and by Mr. Webster, from 6,000 of the freemen of the city of Utica, and the county of Oneida, New York; which were severally read, referred, &c.

Memorials, &c. approving the conduct of the executive in the removal of the deposits were presented, by Mr. Wilkins from

a meeting of citizens in Huntingdon county, Pa.; and by Mr. Brown, from a public meeting in Edgecomb county, N. Carolina; which were read, referred, &c.

Mr. Clay submitted two resolutions which were considered and adopted, the first directing the secretary of the treasury to report to the senate, the gross amount of the proceeds of the sales of public lands and the number of acres sold during 1833, distinguishing the number of acres sold in each state—and the second inquiring the manner by which the 20th part of the nett proceeds of the sales of the lands within the state of Ohio, set apart for roads, is ascertained.

After the presentation, &c. of various petitions and the report and disposition of several private bills,

The senate proceeded to consider Mr. Poindexter's resolutions as modified. The question being on the amendment of Mr. Bibb; and Mr. Bibb resumed and concluded his remarks; when on motion of Mr. Grundy, the senate adjourned.

April 29. The chair communicated a report from the secretary of the senate, made in obedience to the resolution of the 29th instant, showing the number of memorials, proceedings and resolutions, presented to the senate for and against the removal of the deposits. The number against the removal, is stated to be 114,918, and that for it 8,721.

Mr. Bell presented a memorial from Somersworth, and another from Dover, New Hampshire, the first signed by 452 and the latter by 500 citizens, opposed to the removal of the deposits, which were read, &c.

Mr. Poindexter reported a bill making a grant of land for the Polish patriots; which was read and ordered to a second reading.

Mr. Chambers submitted the following resolution, which lies one day on the table:

Resolved, That the secretary of the treasury be directed to inform the senate, whether any other treasury draughts, called at the department transfer draughts on the United States bank, have been drawn since his report of the 11th December, 1833; and the purposes to which the amounts of such draughts, if any, have been applied.

Mr. Webster gave notice, that he would move to-morrow to take up the military appropriation bill; and also to go into executive business.

The senate then proceeded to the consideration of the protest of the president, &c. The question being on Mr. Bibb's amendment,

Mr. Grundy rose and addressed the senate until a quarter past 4 o'clock, when, on motion of Mr. Clay, the senate adjourned.

April 30. A memorial opposed to the removal of the deposits, was presented by Mr. Sprague from citizens of Hallowell, Maine; which was read, referred, &c.

Mr. Kent presented the memorial of certain citizens of Baltimore, praying for the adoption of the warehousing system.

The senate then again took up the resolutions offered by Mr. Poindexter, as modified by Mr. Clay, on the president's protest. The question being on the motion of Mr. Bibb to amend, Mr. Clay addressed the senate until a quarter after 3 o'clock, when on motion of Mr. Wright, the senate adjourned.

May 1. Mr. McKean presented memorials from Northumberland, Susquehanna and Bradford counties, Pa. Mr. McKean stated that he had been requested to present the memorial of about two hundred and sixty inhabitants of the borough of Milton, in Northumberland, one of the middle counties of Pennsylvania. They speak in the usual language of their embarrassments and pecuniary distress. They are opposed to the removal of the deposits, and in favor of rechartering the United States bank. A large number of them were the original friends of general Jackson, and supported him in 1832. Many of them he knew had been the active friends of the general.

The second came nearer home; it was signed by 1,300 citizens of Susquehanna county; adjoining the one in which he resided. A warm political friend of his own, and a uniform supporter of general Jackson, authorized him to say, that it contained the names of at least two-thirds of the whole number of voters, and that at least 500 of the signers voted for general Jackson in 1832.

The third came from his own county, a strong Jackson county, signed by about 1,600 citizens without distinction of party. They say, in transmitting the memorial, they desire it to be distinctly understood that they are actuated by no party or political motives, and they sincerely regret and deplore the manner in which this question has, by artful means and designing men, been mingled with the party conflicts of the day. They deem it a subject too deeply affecting the interests of every class of the community, to be prostituted to the base purposes of personal aggrandizement, and express a hope that every patriot will discontinue the connexion of this question with the politics of the country.

Mr. Webster said—Now, with great respect to the senator from Pennsylvania, (Mr. McKean), he should not like to make an inquiry of him that would create any embarrassment, but as he said he had presented the names of those, some of whom were friends of the administration, and most of whom he knew, and as he resided in one of the counties, he, (Mr. W.) would like to know of him, if he would not take it amiss, whether there was or was not a deep and growing disapprobation of the measure of the executive in relation to the removal of the deposits from the bank of the United States?

Mr. McKean replied that he had not the slightest objection to answering the inquiry. He stated the fact that, so far as he knew the county of Northumberland, it contained a number of persons who were actively engaged in the support of the present executive. They themselves stated that they were the original friends of general Jackson, and voted for him in 1832. He also stated that, in his own county, their memorial was signed without distinction of party. Although he did not know the sentiments of every gentleman in his county, yet those gentlemen who were responsible to him for the memorial authorized him to state that fact.

In his desire, Mr. McK. said, was to reply to the question of the gentleman from Massachusetts distinctly. As far as he knew, the people of the counties with which he was acquainted, (although he unfortunately differed with them on some points), were much dissatisfied with the removal of the public depositories. There was much discontent, and he believed that the people were against the administration for its late measures, though they attributed them only to error of judgment. He did not mean to be understood, Mr. McK. said, as conveying the idea that the people of Pennsylvania were opposed to the executive; he only meant that they were generally opposed to the removal of the depositories, which they attributed, as before said, to error.

Mr. McKean also presented a memorial from Northampton county, Pa. approving the measures of the executive in the removal of the depositories.

These memorials were read, referred, &c.

Mr. Clay rose to present a memorial which would neutralize the last one presented by the gentleman from Pennsylvania, (Mr. McK.). The memorial, with the presentation of which he was charged, was from Bald Eagle township, in Centre county, Pennsylvania. It is accompanied by a letter which states that three-fourths of the subscribers to the memorial have been, until very recently, the most unyielding friends of the administration; and he would further state, for the comfort of the supporters of the executive, that the letter adds, "that the presidential protest has reached us, and I feel safe in assuming you that its dangerous doctrines will excite almost universal reprobation."

The numerous subscribers to this memorial testify that, in voting for the re-election of general Jackson they did not intend to decide against the bank of the United States.

The memorial was read, referred, &c.

Mr. Chambers presented the proceedings of a large and respectable meeting recently held in the city of Baltimore, disapproving of the measures of the administration in relation to the bank of the United States, and particularly condemning the late protest of the president.

A long and interesting debate then followed, in which Messrs. Chambers, Grundy, Clay, Brown and McKean took part. On motion of Mr. Forsyth, the proceedings were laid on the table.

The senate then proceeded to the consideration of executive business, and, after remaining some time with closed doors, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Thursday, April 24. The resolution of Mr. Mardis was again resumed, when Mr. McKean, of Pa. occupied the morning hour in opposition to it, without concluding.

On motion of Mr. Polk, the house, as in committee of the whole, again resumed the consideration of the general appropriation bill.

Mr. McKay objected to strike out two items in the bill, one for a clerk in the topographical bureau, of 1,000 dollars, and another in the clothing bureau of 700 dollars. A long debate arose, and the motion was finally negatived, eyes 61, noes 63.

A motion was then made to strike out an item of \$5,000 for additional clerk hire in the pension office.

This motion led to an animated and protracted debate, in which the authority of the head of a department to employ extra clerks at his pleasure, and then to demand from congress an appropriation to pay them, was warmly denied. It was incidentally admitted in debate, that the necessity for the employment of these additional clerks arose in part from the transfer of the pension agency from the bank of the United States. The committee continued to sit until about 6 o'clock; when

Mr. Vinton moved that it rise, which motion prevailed—eyes 75, noes 71.

Mr. Polk now moved for leave to introduce a resolution making the present bill the order of the day, at 12 o'clock, every day, Mondays and Saturdays excepted.

Mr. Vinton objected, and

Mr. Polk moved to suspend the rules; but before any decision was had, on motion of Mr. Vinton, the house adjourned.

Friday, April 25. Mr. Chilton made an adverse report on the expediency of repealing the law which requires two witnesses to establish a pension for wounds received during the revolutionary war, &c.

Mr. Duncan asked and obtained leave of the house to lay on the table and have printed, a bill to modify and extend an act to incorporate the subscribers to the bank of the United States, with certain limitations and conditions; which bill, he gave notice, he intends to offer as a substitute for a bill reported from the committee of ways and means to regulate the depositories of the public money in the local banks.

[The bill introduced by Mr. Duncan proposes that the charter of the present bank of the United States shall be continued

for twenty years from the 4th day of March, 1836, provided that the United States shall surrender the whole of its stock, and the present stockholders shall surrender half of the stock in the bank held by them respectively; the several states to have the right to subscribe, at par value, in proportion to their respective representation in the house of representatives of the United States, for the twenty-one millions of dollars of stock so to be surrendered, or the citizens thereof, in the event of any state's declining to subscribe and pay in the amount of the quota on or before the 1st day of February, 1836. The amendment embraces several other new features; such as limiting the dividend on stock to seven per cent. per annum, the surplus, after the accumulation of a contingent fund of three millions, to be paid over into the treasury of the United States; prohibiting the issue of any notes of a denomination less than ten dollars; requiring a bonus of \$300,000 per annum, to be appropriated to internal improvements, &c. &c. This being the first practical proposition in the house of representatives, contemplating, in any form, the extension of the charter of the present bank of the United States, we have thought this brief note of it might be acceptable to our readers.]

The resolution of Mr. Jarvis, for an investigation of certain of the district banks, was again taken up for consideration; when Messrs. Hardin and Chilton addressed the house.

On motion of Mr. Polk, the house went into committee of the whole on the general appropriation bill.

The question under debate being the item of \$31,731, for additional clerk hire in the post master general's department.

A very warm and interesting debate ensued, in which Messrs. Lincoln, Pope, Reed, Parker, Evans, Wardwell, Polk, H. Everett, Connor, Chilton, Hardin, Ewing and Hancock took part.

In the course of Mr. Chilton's remarks, he referred to the report of the retrenchment committee of 1828, in which, in speaking of the post office department, it was affirmed, that, under the able administration of its then chief (judge McLean) it had been brought up, from an annual charge to the government of upwards of \$58,000, to yield in 1827, a net profit of \$100,312, with an extension of post routes and post offices. But alas! how now? The department by its own showing, has borrowed at a per centage, and without law, \$400,000, and as admitted by the gentleman from North Carolina \$170,000 besides; and how much more it owes, no one can tell. In the same time, an increase in the number of clerks and other officers, involving an expense of about \$50,000. That when Mr. McLean left the department in 1828, the number of clerks was 33, while it is now 92.

The question to strike out the item was negatived without a count.

Mr. Lincoln moved to reduce the item from \$31,700 to 17,000. The question was taken on Mr. Lincoln's motion and negatived, eyes 53, noes 85.

On motion of Mr. Polk an item of \$3,500 for additional clerk hire to bring up the arrears, and transcribing the field notes of the post office department, was stricken out; when the committee rose, and, on motion of Mr. Williams, the house adjourned.

Saturday, April 26. The resolution moved by Mr. Bealy, on the 16th instant, authorising a survey and examination of the Cumberland river, with a view of rendering it navigable for steamboats, was taken up and agreed to.

Mr. E. D. White reported a bill authorising the secretary of the navy to cause improvements on the steam engine to be made.

Mr. Boon moved the consideration of his resolution fixing a day of adjournment; but it being objected to, he moved to dispense with the rule, and demanded the yeas and nays; they were taken accordingly and stood as follows: yeas 91, nays 57.

Two thirds not voting in the affirmative, the motion was negatived.

Mr. Polk then moved the consideration of the general appropriation bill, which was refused.

After attending to several private bills, the house passed to the consideration of the bill for the relief of Susan Decatur, as in committee of the whole; which, having been gone through, was reported to the house; and then the house adjourned.

Monday, April 28. Mr. Garland, a member elect from the state of Louisiana, vice Mr. Bullard, resigned, appeared, was qualified and took his seat.

Messrs. Hall and Graham, of North Carolina, who had each presented memorials from their respective districts, on the last petition day, addressed the house on the subject, the former in a speech of two hours. The memorials of each were read, referred, &c.

Mr. Gable who had also, on the last petition day, presented the memorial of 183 persons, nearly all voters, of Savannah, Geo. opposed to the removal of the depositories, paid some very flattering compliments to the character of the memorialists. Mr. G. stated that the memorialists represent that since the 1st of October last, the fall in the price of cotton, the great southern staple, has been at least one fourth of its actual value at that time. The entire value of the cotton crop is estimated at forty millions of dollars, and the direct loss of the cotton planters may be fairly stated at from six to eight millions of dollars; of which more than a million falls on the state of Georgia; and this, independently of the loss which results from the fact, that 50,000 bales less will be required by the manufacturers of the United States.—Read, referred, &c.

Memorials, &c. opposed to the removal of the deposits were presented by Mr. R. M. Johnson, from between 3 and 400 citizens of Grant county, Ky.; by Mr. Chilton, from a meeting of the citizens of the town of Brandenburg Ky.; by Mr. Mitchell, from citizens of the 13th congressional district in Ohio; by Mr. Fintou, of Ohio, from citizens of his district; by Mr. Corwin, from inhabitants of the county of Clinton, Ohio; by Mr. Vance, (29 memorials), signed by 1,241 citizens of Champaign county, Ohio; by Mr. White, of Lou., from a large meeting of the citizens of New Orleans; by Mr. Murphy, from citizens of Dallas county, Alabama; by Mr. Osgood, of Mass. the proceedings of a public meeting in his district, as also a letter of instructions, which letter, he said he should not comply with. All which were read, referred, &c.

Memorials, &c. approving of the removal of the deposits were presented, by Mr. Wayne, from 67 citizens of Savannah, Georgia; by Mr. Pope, of Ky. from a meeting in his district; by Mr. Thompson, from citizens of Salem, Ohio; by Mr. Mitchell, of Ohio, from citizens of his district; and Mr. Learill from citizens of Harrison county, Ohio; which were severally read, referred, &c. and then the house adjourned.

**Tuesday, April 29.** Mr. Lincoln asked leave to offer a resolution calling for information from one of the departments.

Opposition being made, he moved for the suspension of the rule, and demanded the yeas and nays.

The resolution was read as follows:

**Resolved,** That the postmaster general be directed to lay before this house a statement of the number, and names, and dates of the appointments, respectively, of the clerks, agents and other officers and persons employed in his department, (other than postmasters and persons employed in the respective post offices), and of the distribution and assignment of the appropriate duties of each; and especially of the character of the services required by the solicitor, and clerks of the solicitor's office; and the duties and official employment of each of the persons who, in the register of the offices and agents of the government, called the "Blue Book," are denominated "clerks of appointment;" and that he do inform the house from what fund or appropriation all the officers and persons aforesaid, employed in his department, have received their compensation; and that he be further directed to state to this house, to what corporations or individuals, (if any), the post office department is indebted for money borrowed, and to what amount to each of such corporations or individuals respectively, and at what rates of interest such loans have been obtained; whether the department has overdrawn the amount of deposits to its credit in bank or banks; and if so, in what balances it is now indebted to such banks; in what instances, (if any), and to what amount, the department has anticipated its revenue by draughts on post offices in advance of the current quarter, and whether there are arrearages due to any contractors, according to the terms of their contracts, either executed or continuing for the conveyance of the mails, and to whom, and to what amount respectively; and what is the aggregate amount of the indebtedness of the department, beyond its present means and resources, to discharge all its pecuniary obligations in time, and according to its engagements and liabilities."

The yeas and nays were thereupon taken, and stood as follows: yeas 103, nays 50.

So the rule was suspended.

The speaker said the resolution must, by rule, lie one day.

Mr. Lincoln moved to dispense with the rule.

Mr. Adams demanded the yeas and nays.

They were taken, and stood, yeas 110, nays 65. Two thirds not consenting, the rule was not suspended; and the resolution lies on the table until to-morrow.

Mr. Gilmer moved that the letter of the secretary of war relative to the death of Hardiman Owens, be taken up; and it being taken up,

Mr. Gilmer moved that it be referred to a select committee, and Mr. Clay its reference to the judiciary committee.

A debate took place between Messrs. Gilmer and Clay, in which the former, after disavowing any intention of attacking the administration, alluded to the order given by the commander of the United States troops "to take Owens dead or alive," and to the order from the war department to defend the prosecution against those who shot him, at the expense of the general government, and by an agent sent for that purpose from Washington. Before any decision was had, the hour expired, and the house passed to the orders of the day.

The general appropriation bill was now taken up, and

Mr. Vance, of Ohio, moved to strike out an item of \$3,500 for additional clerk hire in the offices of the surveyors general of Ohio, Indiana and Michigan, which motion was opposed by Messrs. McKinley, Polk, Lyon, Clay, Ashley and Lane, and finally rejected.

Mr. Vance then moved to strike out an item allowing \$10,000 for supplying township plats to certain land offices: after several motions to amend Mr. V's motion by reducing the allowance in the item; and it was, after considerable debate, reduced to \$5,000.

Various other amendments being offered and disposed of, Mr. Selden moved to introduce a proviso in the clause providing for the compensation of United States district attorneys, forbidding them to bring separate suits in cases where they can be consolidated. On this amendment, a debate arose which lasted till 5 o'clock, when the committee rose, and the house adjourned.

**Wednesday, April 30.** Mr. Adams gave notice to the house that he should, to-morrow, ask permission to introduce a bill forbidding the corporations of Washington, Alexandria and Georgetown, from issuing promissory notes below the denomination of ten dollars.

Mr. McKenna resumed and concluded his remarks in opposition to the resolutions of Mr. Merdis, and Mr. Galbraith, of Pa. obtained the floor for to-morrow.

The bill to regulate the value of gold and silver coins, in the United States, was taken up and passed through committee, without amendment.

The bill to extend the duration of the commission under the French treaty for two years,

and the bill making an extension under the treaty with Naples for six months, were severally taken up and passed through committee of the whole.

The general appropriation bill was then again taken up, and the remainder of the day consumed in discussing its details without coming to a conclusion. At a late hour the house adjourned.

**Thursday, May 1.** Mr. Adams asked and obtained leave to bring in a bill to prevent the corporations of Washington, Alexandria, and Georgetown from issuing bills of a less denomination than ten dollars; which bill was referred, &c.

Mr. Lincoln moved that the house take up the resolution he had moved a day or two since, relative to the affairs of the post office department.

Objection being made—

Mr. L. moved a suspension of the rule, and called the yeas and nays, which were ordered. The yeas and nays being taken, stood as follows: yeas 93, nays 63. There not being two-thirds in the affirmative, the rule was not suspended.

The general appropriation bill was then taken up in committee of the whole. The question still being on the allowances to foreign ministers, the debate was renewed with additional spirit and interest, and continued till 6 o'clock. The motion to strike out the salaries of ministers to England and Russia was negatived by a vote of 191 to 69.

After which the house adjourned.

#### A HORRIBLE AFFAIR.

The occurrence of a fire in New Orleans, on the 10th ult. has led to a disclosure of circumstances of a horrifying character. The Courier of that day has the annexed particulars:

"A fire broke out this morning in the kitchen of madame Lalaurie, corner of Royal and Bayou streets, which was soon wrapt in flames. It was known to some of the neighbors, that the upper part of this building was used as a prison, and that it was then tenanted by several unfortunate slaves loaded with chains. Information of this fact was communicated to judge Canonge, who instantly waited on Mr. Lalaurie, and asked permission of that gentleman, in a polite manner, to have the slaves removed to a place of safety; when the latter, with much rudeness replied, that 'there were those who would be better employed if they would attend to their own affairs instead of officiously intermeddling with the concerns of other people.' The flames gaining rapidly on the building, orders were given to break open the doors, which being promptly obeyed, a most appalling sight was presented, in the shape of several wretched negroes emerging from the fire, their bodies covered with scars and loaded with chains! Amongst them was a female slave, upwards of 60 years of age, who could not move. Some young men carried her to the city guard house, where the others, six in number, were also conducted, to be protected from the cruelty of their owner. We saw one of these miserable beings. The sight was so horrible that we could scarce look upon it. The most savage heart could not have witnessed the spectacle unmoved. He had a large hole in his head, his body from head to foot was covered with scars and filled with worms!!! The sight inspired us with so much horror, that even at the moment of writing this article we shudder from its effects. Those who have seen the others represent them to be in a similar condition.

"We forbear a further description of this revolting spectacle, as it can hardly be agreeable to the feelings of our readers. We hope the grand jury will take cognizance of this unparalleled outrage, and bring the perpetrators of it to the punishment they so richly deserve."

The Bee of the 11th April, says—"The populace have repaired to the house of this woman, and have demolished and destroyed every thing upon which they could lay their hands. At the time of finding this the fury of the mob remained still unabated and threatens the demolition of the entire edifice."

The popular fury which we briefly adverted to in our paper of yesterday, as consequent upon the discovery of the barbarous and fiendish atrocities committed by the woman Lalaurie upon the person of her slaves, continued unabated the whole of the evening before last and part of yesterday morning. It was found necessary for the purpose of restoring order, for the sheriff and his officers to repair to the place of riot and to interpose the authority of the state, which we are pleased to notice proved effectual, without the occurrence of any of those acts of violence which are common upon similar occasions. We regret however, to state that previously, some indignities had been shown to judge Canonge, who ventured to expostulate with the assailants upon the propriety of ceasing their operations, and that during the same, deadly weapons were in the hands of many persons, a resort to which at one time was seriously apprehended. Nothing of the kind happily, however, transpired.



Nearly the whole of the edifice is demolished, and scarcely any thing remains but the walls which the popular vengeance have ornamented with various writings expressive of indignation and the justness of their punishment.

The loss of property sustained is estimated by some at \$40,000, but others think this calculation exaggerated. It must, however, have been very great indeed, as the furniture alone was of the most costly kind, consisting of pianos, armors, &c. &c. which were removed to the street and thrown from thence into the street for the purpose of tendering them of no possible value whatever.

This is the first act of the kind that our populace have ever engaged in; and although the provocation pleads much in favor of the excesses committed, yet we dread the precedent. To say the least of it, it may be excused, but can't be justified. Summary punishments, the results of popular excitement in a government of laws, can never admit of justification, let the circumstances be ever so aggravating.

The whole of yesterday and the preceding day, the police jail was crowded by persons pressing forward to witness the unfortunate wretches who had escaped cruelties that would compare with those of a Domitian, a Nero or a Caligula! Four thousand persons at least, it is computed, have already visited these victims to convince themselves of their sufferings.

STEAMBOAT LAW.

Louisiana has been the first state to set the example of vigorous legislation for the prevention and punishment of negligence in the navigation and management of steamboats. For the synopsis of the law which she has made on that subject, we are indebted to the Baltimore American, as follows:

"The legislature of LOUISIANA, which has just adjourned, adopted a very severe, and, we trust, efficient law for the regulation of steamboats, so as to secure them from explosion. The number of fatal accidents on the Mississippi—particularly the disastrous one by which senator JOHNSTON lost his life—imperiously called for some legislative interference, to secure care and fidelity in the management of engines, and every practicable assurance of their soundness. The new law manifests great anxiety to establish minute precautions against accident, as well as misconduct; and imposes heavy penalties on the agents and owners, in every case of damage which any possible care might have prevented. To make the law more effective, it has been sent to the executives of all the states bordering on the Mississippi, and its tributaries, for similar action.

The law establishes the office of state engineer for the port of New Orleans. The duty of the engineer is to examine, once in three months, the strength of the boilers of steamboats plying within the waters of the state; to test them by hydraulic pressure to three times the weight of steam they may be supposed capable of carrying; and to furnish each boat with a certificate, specifying the weight of steam which may be safely used.

In case any accident happens on board of any boat, not possessing the proper certificates, neither captain, owner nor agent, can recover any claim for freight or insurance; the owner or agent is made responsible to the shipper, to the full amount of all damage; and the captain is further subjected to a fine, not less than \$500, nor more than \$2,000, and to imprisonment for not less than three months, nor more than three years. If lives are lost, the captain is to be adjudged guilty of manslaughter.

The same penalties to the several parties are provided in case of any accident in navigation, from overloading, racing, carrying higher steam than the certificate allows, or any accident "that may occur while the captain, pilot or engineer is engaged in gambling, or attending to any game of chance or hazard."

The same penalties are provided in case of any accident from gunpowder, shipped without a written notice of the fact being posted in three conspicuous parts of the boat.

Shippers are made liable to a fine of \$300 for shipping gunpowder without notice to the master or clerk; and also made liable for damages that may happen by any accident therefrom; and, in case of loss of life, are adjudged guilty of manslaughter.

In passing, on the river, the descending boat is commanded to shut off steam and float down, when within a mile of an ascending boat—the latter to assume the responsibility of steering clear of the other, and being liable for all damages.

Other minute directions are given, but the above form the principal enactments of the law, which appear to be drawn up with a determination to enforce rigorous penalties against any carelessness in the management of steam engines on the Mississippi, within the limits of the state of Louisiana.

LETTER FROM JUDGE McLEAN.

Certain assertions that Mr. McLean would not be a candidate for the presidency in opposition to the decision of a national convention, gave rise to the following letter from him:

To the editor of the Hamilton (O.) Intelligencer.  
Washington, 26th March, 1834.

DEAR SIR: I have just received your letter of the 17th inst. in which you inform me that at a late public meeting in Hamilton, "a number of letters were read to the meeting, stating, in effect, that I had expressed a determination not to be a candidate in opposition to Mr. Van Buren, and that their impression was great; and you request me to say whether I intend to become a candidate for the presidency regardless of the decision of a national convention."

No individual has had the shadow of authority for making the above statement.

Whether I shall become a candidate or not, will depend entirely on the voluntary action of the people. The choice of their public servants, in my opinion, belongs to the people, and not to those who, from selfish views, may assume the responsibility of acting for them.

I am opposed to a national caucus or convention now, as I was in eighteen hundred and twenty-three, when an attempt was made, through its influence, to elect a president of the U. States.

A national convention is contrary to the established usages of the democratic party. It has a direct tendency to place the whole political power of the country into the hands of a few individuals, and to deprive the people of a full and fair expression of their will. It will substitute for the official organs, under the constitution and laws, a cabal, which will control, through a corrupt influence, the whole action and policy of the government.

Under such a system the people will be kept in a state of excitement, the moral force of our institutions will be eventually destroyed, and the ruin of our government must soon follow.

To keep the election of president out of the house of representatives, I have always been in favor of so altering the constitution as to send the election a second time to the people, if there should be a failure to elect on the first attempt. Under no circumstances will I consent to be the instrument of defeating an election of president by the people.

Believing, as I do, that our government can only be sustained in its purity and vigor, by keeping the elective franchise near the people, and out of the hands of political managers, my course, in regard to the future, will in no degree be influenced by the contemplated national convention.

In accordance with the usages of the democratic party, state conventions, under certain circumstances are not only proper, but necessary. But the only legitimate objects of such a convention, is to ascertain public sentiment, and not to manufacture it. Its members should be chosen by the people, and to the convention should be borne and expressed the known wishes of the people. With respect, your obedient servant,

JOHN McLEAN.

"THE EXPERIMENT."

A list of cotton mills now stopped in the vicinity of Providence, Rhode Island.

	Spindles.
S. & L. Slater, at Smithfield, one mill.....	2,500
Blackstone manufacturing company, one mill.....	4,000
Carrington manufacturing company, at Smithfield.....	2,000
Albion do. do. do. do. do. do. do. do. do. do. do.	6,000
Jenkins & Mann do. do. do. do. do. do. do. do. do. do.	3,200
Londale manufacturing do. do. do. do. do. do. do. do. do. do.	3,000
Almy & Brown.....	2,000
John H. Clark.....	1,700
Richmond manufacturing company, (Scituate).....	1,800
Pomret do. do. do. do. do. do. do. do. do. do. do.	3,200
Dexter Ballow.....	1,200
Globe manufacturing company.....	1,800
Peleg C. Remington.....	800
Charles Hadwin.....	1,800
William Read.....	1,100
George B. Ruggles.....	2,000
Phenix manufacturing company.....	4,500
Merino mills.....	3,000
Mauchland manufacturing company.....	4,300
Cutler, Stafford & Co. ....	3,000
W. R. Greene.....	1,000
Eldridge mills.....	2,500
Leffinwell & Evans.....	1,000
A. & F. Alexander.....	1,000
Masonville mills.....	1,500
Harvey, Dresser & Co. South Bridge.....	2,000
Exeter mills.....	1,200
Cove mills.....	2,000
Kent's mills.....	2,000
Arnold's mills, Utter manufacturing company.....	1,200
	70,400

SPEECH OF MR. LACOCK.

The following is the conclusion of a speech recently made by Mr. LACOCK, in the legislature of Pennsylvania.

"It is now, Mr. Speaker, said Mr. LACOCK, more than one-third of a century, since I was associated in political life with your sire and your grandsire. And the same may be said of your brother from Armstrong; and with your father, and yours, I was long and honorably associated. (Here Mr. Lacock designated six or eight young men, the fathers of whom had been with him in the legislature.) It was from and with them I learned my political creed, and was taught to love and honor Pennsylvania. They have gone, or most of them, from good works I trust, in this, to high rewards, in a better world. Will not you, the sons of those venerated sires, listen to the warning voice of their old political friend, who now addresses you, and who has been permitted, in mercy, to linger behind his associates, and is here standing, solitary and alone, upon this floor, conjuring and beseeching his young friends to redeem and save the country, its constitution, and its laws. This can only be done by breaking the political fetters with which you are bound,

Remember we have taken a solemn oath, not to support party, but the constitution and laws of the country. These you have seen trampled under foot. You find a wide-spread ruin around you; and, where peace and plenty had lately smiled, you now find bitter strife and contention on the one hand, and penury and want upon the other; and in this state of misery and suffering, the cries of thousands from Philadelphia and Pittsburgh, by their delegates, been presented at the foot of the throne, from whence the supplicants for mercy have been driven back, loaded with outrage, insult and contempt. Let me ask you again, said Mr. Lacoek, my young friends, will you bear this? If you will, I will not. I feel a spark of holy fire from the altar of '76 kindling to a blaze in my bosom, and while a pulsation of the blood of '76 throbs in my heart, or flows in my veins, I shall raise my voice, and nerve my arm, if possible, with youthful vigor, to speak, and strike too, in defence of the liberty and freedom, the constitution and laws of my country!"

#### RECEIPTS FROM POSTAGE.

A statement of the net amount of postage accruing in each state and territory, &c. for the year ending on the 31st March, 1833.

Maine.....	\$40,924 53
New Hampshire.....	21,329 71
Vermont.....	22,685 56
Massachusetts.....	154,441 45
Rhode Island.....	17,626 44
Connecticut.....	48,341 39
New York.....	400,694 05
New Jersey.....	30,365 07
Pennsylvania.....	229,305 28
Delaware.....	6,390 98
Maryland.....	81,577 73
District of Columbia.....	15,721 71
Virginia.....	109,950 16
North Carolina.....	35,722 53
South Carolina.....	58,004 34
Georgia.....	75,420 07
Florida territory.....	7,306 45
Alabama.....	37,582 58
Mississippi.....	29,450 93
Louisiana.....	46,718 43
Arkansas territory.....	3,733 11
Tennessee.....	41,402 33
Kentucky.....	49,511 44
Ohio.....	86,171 84
Michigan territory.....	9,615 72
Indiana.....	18,146 48
Illinois.....	12,350 88
Missouri.....	17,618 52
Grand total.....	\$1,701,332 71

Postages received at the places mentioned.

New York city, was.....	\$179,732 77
Philadelphia.....	112,789 45
Boston.....	69,893 76
Baltimore.....	38,849 32
New Orleans.....	34,391 93
Charleston.....	29,323 60
Cincinnati.....	20,140 31
Richmond.....	19,778 80
Albany.....	15,685 11
Pittsburgh.....	15,237 02
Savannah.....	14,896 44
Augusta, Geo.....	14,202 78
Providence.....	9,954 59
New Haven.....	7,743 80
Hartford.....	6,818 71
Portland.....	5,195 67
Newark.....	4,483 75

#### TAMMANY SOCIETY, OR COLUMBIAN ORDER.

At a meeting of the Tammany society, or Columbian order, held at the great wigwam, New York, on Monday evening, 21st April, the following resolutions were unanimously adopted:

**Resolved**, That we recognize as the political tenets of this society, the democratic principles of Jefferson, and especially, also, that great republican feature of the constitution, that all powers not clearly delegated by instrument, "are reserved to the states respectively, or to the people."

**Resolved**, That we conceive it the duty of the senators and representatives in congress, to confine themselves rigidly to the sphere of action assigned them by the constitution, and not to depart from the legitimate objects of legislation by the passage of "resolutions" totally disconnected with them.

**Resolved**, That we view the "protest" of the president against the assumed and unconstitutional course of the senate, as worthy the high source whence it emanated; and as a state paper in which the duties of the executive, in reference to the treasury department, are clearly and correctly expounded, according to the spirit as well as the letter of the constitution.

**Resolved**, That we retain undiminished confidence in the strict integrity and singleness of purpose, of our venerable chief magistrate; and exceedingly regret that in the decline of life and in the maturity of experience, he should be grossly assailed and calumniated by interested partisans, for adopting those measures which tend alone to promote the safety, as well as the prosperity and glory of his country.

**Resolved**, That a copy of the foregoing resolutions, signed by the grand sachein and secretary, be transmitted to the president and vice president of the United States, senators Wright and Tallmadge, and honorable Messrs. Cauterleing, White and Lawrence, and be published in all the democratic papers in this city.

SHIVERS PARKER, grand sachein.

John J. Bedient, secretary.  
Wigwam, Manhattan, season of blossoms, year of discovery 342, of independence 58, and of the institution the 45th.

How will they manage with the "eodidic?"

Let us hear what Mr. Ritchie says—  
"Now, we admit at once that congress has the right to place the public funds, not only in whatsoever places they may please, but in whosoever hands they please. We contend, that the custody and control of the moneys of the United States, not appropriated by law, are, by the constitution, placed under the order and direction of the congress of the United States—that they may entrust its custody to 'other agency than that of the executive department;' and that they may take out of the hands of the executive department the custody of it, 'without an assumption of executive power.'"

#### REMARKS OF MR. CLAYTON, OF DELAWARE.

Following Mr. Leigh in debate on Friday, April 18.

[Mr. Leigh having concluded, Mr. Ering obtained the floor, and desired an adjournment before he proceeded with his remarks on the president's protest; but gave way, to enable Mr. Wilkins to move that the senate proceed to the consideration of executive business.]

Mr. Clayton said, that he could not assent to this motion. The president has menaced the very constitutional existence of the senate. He says that, whether its censures are submitted to or resisted by him, in either event the consequences resulting from its conduct, must "lead to serious alterations of the frame-work of the constitution." And he gives utterance to this sentiment in the sentence in which he speaks of the senate as a "body holding their offices for long terms, not elected by the people;" while in the communication from which this menace is extracted, the object of it is exposed by the insinuation that the senate may, in future, refuse to sanction the appropriations of public money as he desires, or to confirm his nominations. This threat, accompanied by an appeal to the people, while his executive nomination of a host of office holders is before us, demand of us, in my judgment, the exercise of whatever of energy and firmness of character we possess, to vindicate and maintain the honor, dignity and character of the American senate, and of the states it represents. I propose, sir, that we pass no bill, nor confirm any important and disputed nomination, until we have decided the question before us; after which, unawed by power, and unruined by passion, let us proceed, without the slightest regard to the president's threats, insults or denunciations, to do our duty precisely as if he had not violated his. Let us then—but not till then—forget that this electioneering document ever had an existence, and proceed to reject all his nominations which ought to be rejected, as well as to confirm all that ought to be confirmed; in short, to do all that ought to be done, without the slightest regard to any stratagem we may resort to, for the purpose of seducing or frightening us from our duty.

Sir, the true view of this subject will not escape the American people. They will see at once, that the president has been guilty of a palpable violation of the fundamental privileges of their public servants in this hall. The third section of the second article of the constitution, regulating the official intercourse of the president with the senate, gives him power to send messages to the senate—1st, containing information of the state of the union—and, 2dly, recommending some measures for their consideration and adoption. It has not been pretended that this message purports to give information of the state of the union, or that it recommends any measure whatever for the senate to adopt. On the contrary, it expressly purports to be a mere "protest" against a measure already considered and adopted. It denounces the conduct of the senate, as unjustifiable and unconstitutional, in agreeing to the resolution which denied his unlimited authority over the purse, as well as the sword of the nation; it debates his claim of royal prerogative, and reaffirms all his pretensions to unlimited power; it professes "promptly to expunge the wrongs the senate has done him;" and for this purpose, and under this pretence, demands a place on our records. It recommends no legislation, proposes nothing, not even the repeal of the obnoxious resolution; and is intended as a popular harangue, to be used by his partisans in the coming elections. He might as well ask us to insert any other matter on our journals, which is daily published by his government press, for the same purposes.

The senator from Virginia (Mr. Leigh) has shown, by referring to Mr. Jefferson's Manual, that, independently of the grant of power to the president in the constitution, to send us messages touching the state of the union, and to recommend certain measures for the action of congress, the law of parliament gives him no right to take notice of any matter depending, or of votes that have been given, or of speeches which have been held by the members of either of the branches of the legislature, until the same have been communicated to him in the usual parliamentary manner. The resolution which is the subject of the president's message, was never communicated to him. It was a mere test of the opinions of the senate preparatory to its own

future legislative action, and, as such, was not even communicated to the other house. Our duty, on this occasion, is illustrated by the precedent referred to by Mr. Jefferson, and so much approved by him that he has preserved it and made it a part of his Manual. "Thus," says he, "the king's taking notice of the bill for suppressing soldiers, depending before the house, his proposing a provisional clause for a bill before it was presented to him by the two houses; his expressing displeasure against some persons for matters moved in parliament during the debate and preparation of a bill, were breaches of privilege; and, in 1783, it was declared a breach of fundamental privileges to report any opinion or pretended opinion of the king, on any bill or proceeding depending in either house of parliament, with a view to influence the votes of the members." The leading precedent among those referred to by Mr. Jefferson, to sustain his opinion, is one to which I now invite the particular attention of the senate. I refer to Clarendon's report of it, because the advocates of the royal prerogative, or of executive power, in any age, will most readily respect his authority.

In the year 1641, at the first dawn of civil liberty in that country from which we have drawn our principal institutions, a dispute arose between the commons of England and the king, pending the bill for the suppression of the rebellion in Ireland, in which the commons denied the king's prerogative in any case, but that of invasion from a foreign power, to press the freeborn subject. Remark, sir, that the dispute between the king and the house of commons was, at that day, as this between the president and senate is, a question of executive power and prerogative. We deny the president's right to the purse, while we admit his right to the sword. They denied the king's right to unlimited power over the liberty of the freeborn subject, when called upon by his prince to wield the sword. The house of lords took part in the dispute with the king, as our house of representatives, though undoubtedly swayed by the best of motives, now take part with the president. The commons of 1641, (the whigs of the day,) resisted the royal prerogative, in defiance of both king and lords. Thereupon, the king went to the house of commons and expressed his princely zeal for the relief of Ireland, in terms as honeyed as our president has employed to express his regard for the people in this message; and, (says Clarendon), "taking notice of the bill for pressing, depending with the lords, as the commons had passed it, and the dispute raised concerning that ancient and undoubted prerogative, to avoid further debate, the king offered that the bill should pass with a *salvo jure* both for the king and people," (the meaning of which was that neither the claim of the commons nor that of the king should be considered thereafter settled by the precedent), even as our president now asks to put his protest on the journal, "to the end that the resolution of the senate may not hereafter be drawn into precedent with the authority of silent acquiescence on the part of the executive department."

You observe, sir, that no official communication, on the subject before the commons of England, had been made, by order of that house, to the king. His majesty sent his protest, *salvo jure*, to that house, as our president has sent his protest to this senate, without any previous official information of the proceedings regarding the executive power and prerogative. The important difference between the two cases lies here: that in the case of the king, notice was taken of the bill pending, before it was presented to him for his approbation or dislike, in due course of parliament; in the case of the president, while notice was taken of a resolution before it was presented to him in due course of congress, and which was never intended (as he well knew) to be, nor could be, presented to him for his approbation or dislike, notice was also taken of the debates on the resolution, and of all the amendments moved to it, and the president's displeasure was also distinctly and strongly expressed against at least four of the senators who voted for it—I mean, sir, the senators from New Jersey, Maine and Ohio.

Now, let us inquire what was done by the parliament of England, in 1641, after the king had sent in his protest. Why, the lords, who before had differed in opinion with the commons on the subject of the prerogative—yes, sir, those peers who had before considered the doctrine which denied the authority to press the freeborn subject as "new, and contrary to the usage and custom of all times," as many now declare our denial of the president's right to remove even a marshal who shall not refuse, at his bidding, to execute a decision of one of our courts, if the president choose to consider it unconstitutional, as new and contrary to all former usage—those very Tory peers, I say, voted, with the commons, that the king's protest was a MANIFEST BREACH OF THE PRIVILEGES OF PARLIAMENT. Clarendon informs us, that, as soon as the king's proposition was received, the divided lords and commons immediately united themselves in a petition to the king, declaring "that, amongst the privileges of parliament, it was their ancient and undoubted right, that his majesty ought not to take notice of any matter in agitation or debate, in either house of parliament, but by their information and agreement; and that his majesty ought not to propound any condition, provision or limitation, to any bill or act, in debate or preparation, in either house of parliament; OR TO DECLARE HIS CONSENT OR DISSENT, HIS APPROBATION OR DISLIKE OF THE SAME, BEFORE IT BE PRESENTED TO HIM IN DUE COURSE OF PARLIAMENT. They declared that all those privileges had been lately broken, to their great sorrow and grief, in that speech which his majesty had made to them, wherein he took notice of a bill

for pressing of soldiers, and offered a *salvo jure* and provisional clause to be added to it, before it was presented to him; and therefore they besought him, by his royal power, to protect them in those and the other privileges of his high court of parliament; and that he would not, for the time to come, break or interrupt them; and that, for the reparation of them in that their grievance and complaint, he would declare and make known the name of such person, by whose mis-information and evil counsel, his majesty was induced to the same, that he might receive condign punishment."

"And having delivered this petition," says the royal historian, "they no more considered Ireland, till this manifest breach should be repaired—which they resolved nothing should do but the passing of the bill"—and so, in the end, after a long controversy between the whigs and Tories of that day, between the people or parliament on the one side, and the king on the other, the king, he adds, "was compelled to pass the bill for pressing, which the commons had prepared." Yes, sir, the whigs of 1641 refused to transact any other business, under these circumstances, until the breach of their privileges was repaired. The object of the "salvo jure," or protest of the monarch, was to gain all the supplies for his army without a surrender of his prerogative—the object of the president now is, to obtain our consent to all his appointments, and to gain all the appropriations for the salaries of all his officers, as he terms them, not only without a surrender of his asserted prerogative of unlimited power over them all, but in defiance of the senate, and while he compels us to admit his claim on our own records. Sir, I desire to imitate at least a part of the example set me in the illustrious precedent of 1641. I will not fall below the standard of opposition to kingly prerogative and executive encroachment, established by that parliament, which brought a British monarch to terms, and to which we are indebted for the first light of civil liberty. This act of Charles, in 1641, was one of that series of aggressions which eventually brought the English tyrant to the block. It remains for the American senate to say, whether it will proceed to consider the other business of the session, before its own character and its own just claims and privileges have been vindicated and reasserted, by the proper disposition of this protest. But, for myself, I repeat that, viewing this act as a flagrant breach of privilege, and an attempt to lecture and intimidate the senate, because it has dared to discuss and declare the limits of the prerogative and power of one who has extended his claims far beyond those of any British monarch since the English revolution, I shall vote against the motion of the honorable member from Pennsylvania, and every other motion to proceed to any other important business, before this paper has been disposed of.

Mr. Calhoun followed on the same side, expressing his hearty concurrence in the views taken by the senator from Delaware, and his earnest hope that the senate would refuse to proceed to any other business.

Mr. Wilkins replied that he only wished the senate to consider a treaty.

Mr. Sprague said the treaty was unimportant at this time, and concurred fully in the views of Mr. Clayton.

On motion of Mr. Ewing, the senate then adjourned.

#### PRESENTMENT OF A GRAND JURY.

From the *New York Courier & Enquirer*.

The grand jury of Davidson county, N. C. have presented Andrew Jackson, president of the United States, as having disappointed the reasonable expectations of the people of that country, who had supported him "under the conviction that he would correct the abuses which had crept into the government and bring it back to its original purity and simplicity;" but so far from this, he is doing more says the grand jury, "by a hundred fold to subvert the constitution and change the form of government than any or all of his predecessors put together." "The grand jury goes on to specify his acts. The following are but a part of them; we have not room for the whole.

1st. For his arbitrary, despotic and unconstitutional conduct, in seizing the public money, removing it from the place where it had been deposited by law, and distributing it among various favorite local banks, scattered all over the country, many of which are of very doubtful and suspicious character—thereby endangering the safety of the public funds, and setting the constitution and the laws at naught. This act of arbitrary power has deranged the whole trade and business of the country, and has brought ruin and bankruptcy on thousands of our fellow citizens, while every industrious and hard working man throughout the land has, more or less, been injured by it.

2d. We present him for his reckless obstinacy in this measure, after he sees its ruinous consequences, and after he must see that it incurs the general disapprobation of the American people.

3d. We present him for his haughty and kingly deportment towards various fellow citizens, who, from time to time, have called on him as deputations sent by large assemblages of people, to lay their sufferings and distress before him, and to ask relief. We think it a bad omen for liberty, when the deputies of the people are denied admittance to the president, who is only the people's servant, or, when admitted, to be spurned from his presence with words of anger and scorn, and told to go and seek relief elsewhere.

4th. We present him as having violated all his solemn promises and pledges made to the country before his election, and while he was a candidate. Among other things, he promised

to reform the abuses of the government, and to correct the extravagances and corruptions which had crept into its practice; but, so far from having done this, these extravagances and corruptions have increased with every year of his administration. We see that during the last year the expenditures of the government have run up to the enormous sum of 22,000,000 of dollars, nearly or altogether double what they ought to be, and treble what they were during the economical administration of Thos. Jefferson. Unless a speedy stop be put to this profligacy, it is certain that, in a very short time, the people may look out for additional taxes and burthens.

5th. We present him for his ruthless course of proscription towards those who have held appointments under the federal government, and who were not his political partisans. Contrary to the example of all his predecessors, he has driven hundreds of honest men out of office, not on account of crimes, or malpractices, but merely for opinions sake—that is, because they differed with him, or some of his favorites, in their political opinions. And, in filling offices, in most cases, he puts in those who will not only flatter his vanity by fulsome adulation unbefitting our republican manners and institutions, but who constantly busy themselves in electioneering to impose on the country, as the next president, his avowed favorite.

6th. We present him for prostituting the patronage and the money of the government to aid his favorite in his struggle to attain the next presidential chair; thus taking on himself to dictate to the people who they shall elect, and like the Caesars of Rome, declare his successor.

#### THE ALTERATIONS OF THE PROTEST.

It was not until after the last REGISTER was in the press, that we saw the following explanatory article, else it would have been inserted:

Washington, April 22, 1834.

To the editor of the Globe:

Sir: Understanding that certain verbal alterations in the message transmitted by the president to the senate, on the 17th inst. which I suggested to the secretary of the senate, were the subject of comment yesterday by members of that honorable body, I feel that I am called upon to state the circumstances under which I thought myself warranted in making this suggestion, and with this view, request the insertion of the following explanation.

About 3 o'clock of the day on which the paper in question was presented to the senate, I received from the publisher of the Globe the proof impressions of the same paper, which had been set up from the duplicate intended for the president's file, and which had been previously sent to the compositors. In the examination of the proof, among the corrections that were made, were the following words, which I supposed to be clerical mistakes:

1st. In page 9 in the sentence "Indirectly also, his conduct may come under review in either branch of the legislature, or in the senate when acting in its executive capacity, and so far as the executive or legislative proceedings of these bodies may require it, it may be exercised by them." The word "exercised" was stricken out, and the word "examined" which was obviously the word required by the sense and structure of the sentence, inserted.

2d. In page 48, in the sentence, "This change having been made for the express purpose of declaring the sense of congress, that the president derived the power of removal from the constitution, the act, as it passed, has always been considered as a full admission of the sense of the legislature on this important part of the American constitution," the word "expression" was substituted for "admission," as being more appropriate to the idea intended to be conveyed. This was also the word used in the corresponding remark of chief justice Marshall, in his account of the passage of this bill, which had been consulted, and was substantially followed, in the notes from which this part of the president's message was drawn.

3d. In page 53, in the sentence, "The legislative power may undoubtedly bind him and the president by any laws they may think proper to enact; they may prescribe in what place particular portions of the public property shall be kept, and for what reason it shall be removed, as they may direct that supplies for the army or navy shall be kept in particular stores; and it will be the duty of the president to see that the law is faithfully executed—yet will the custody remain in the executive department of the government," the word "money" was substituted for "property," as being called for by the context, and being obviously more suitable to the idea of the president.

4th. In the first sentence of the paragraph, page 57, beginning with "The dangerous tendency of the doctrine which denies to the president the power of supervising, directing and controlling the secretary of the treasury, in like manner with the other executive officers, would soon be manifest in practice, were the doctrine to be established." The word "removing" was substituted for "controlling," because it was considered as more fully meeting the idea of the president. As the sentence stood, the word "controlling" expressed no other idea than the words "supervising and directing," whereas, the power of "removing" was also claimed on the one hand and denied on the other.

The suggestion of the alteration in page 60 of the expression "the secretaries" for "his secretaries," was dictated simply by a wish to make the paper transmitted to the senate correspond with the duplicate retained by the president, and with the publication from the latter, which appeared in the Globe.

duplicate retained by the president, the words stood originally "the secretaries," and not "his secretaries?" in this paragraph—a disagreement, which may well have escaped the most careful comparison of the two papers; especially as it was not perceived that there was any difference between the two terms. In the duplicate as well as in the publication in the Globe, the expression "his secretaries," occurs in the succeeding paragraph; in which last paragraph, I did not suggest any variation of the words "his secretaries," but they yet remain there.

When I went to the senate on Friday, the day after the delivery of the message, I carried with me a memorandum of the errors thus designated, fully expecting to find that they would not exist in the paper which had been transmitted to the senate; but yet, if they should, considering them as merely verbal and unimportant, I was not sensible of any impropriety in suggesting their correction to the secretary of the senate. The suggestion was made in the presence, I think, of several members of the senate, and the fact, that the errors were ascertained, was stated and explained to at least one member of the senate, in the senate chamber, in the course of the day, and before the senate proceeded to the discussion of the subject on Friday. The suggested corrections were entered in pencil by the secretary, leaving the original words untouched, and the propriety of adopting them was left entirely to his direction, should the senate decide to enter the paper on their journal.

I trust that there will be seen in the motives for this explanation, a sufficient apology for laying it before the public, as not only due to the senate but to myself. I am, very respectfully your ob't serv't  
A. J. DONELSON.

#### ARMY OF THE UNITED STATES.

Head quarters of the army, adjutant general's office,  
Washington, April 19, 1834.

[ORDER NO. 31.]

I. The field officers of artillery are assigned as follows:

*1st reg't	colonel,	Fort Washington.
of artillery,	lieutenant colonel,	Fort Severn.
	major,	Fort Moultrie.
†2d reg't	colonel,	Augusta arsenal, Georgia.
of artillery,	lieutenant colonel,	Fort Marion.
	major, (acting)	Fort Monroe.
‡3d reg't	colonel,	Fort Monroe.
of artillery,	lieutenant colonel,	Fort Wolcott.
	major,	Fort Independence.
§4th reg't	colonel,	Fort McHenry.
	lieutenant colonel,	Fort Columbus.
	major,	Fort Monroe.

II. Company B, 1st artillery, now stationed at Fort McHenry, will relieve company I, of the 4th artillery, at Fort Severn, and on being so relieved, brevet major Erving, with his company, will repair to Fort McHenry. Capt. F. Whiting's company, (I), 1st artillery, will repair to Fort Washington, and relieve company F, when brevet major Mason, with his company, will proceed to join the garrison at Fort Monroe.

III. Fort Niagara will be evacuated, and the garrison, consisting of companies D and H, of the 2d infantry, will proceed to Fort Gratiot, and there relieve companies E and I, of the 4th artillery, when brevet major Payne, with his command, will proceed to New York, and thence, with his company, take post at Fort Trumbull. Company H will join the garrison of Fort Hamilton.

IV. The head quarters of the 2d and 4th regiments of infantry are transferred, the former from Fort Niagara to Madison barracks, the latter from Mobile to Baton Rouge.

V. The field officers of artillery and infantry, will proceed to their respective stations, as above designated, on the 31st of May, or as soon as circumstances will permit; and the movement of troops, under the direction of the respective commanding officers, will take place without unnecessary delay.

VI. Assistant surgeon Minis is assigned to duty at Castla Pinckney, to which post he will repair without delay. Assistant surgeon Stinacche will continue on duty at Fort Gratiot.

VII. The garrison of Fort Monroe will no longer be regarded as the exclusive school of practice; as, at all military posts, the commanding officer will be responsible for the discipline and proper instruction of the troops, in all their duties. The usual reports and returns from the post, will be made direct to the general of department, who will exercise the same authority at Fort Monroe as at other military posts within his command: accordingly, the monthly, and other returns and reports, heretofore received from Fort Monroe, as of "the military school of practice," will be discontinued. By order of major general  
R. JONES, adjutant general.

#### PHILADELPHIA COUNCILS.

The city of Philadelphia is a large holder of real property and stocks by the legacy of Stephen Girard, &c. They memorialized congress, and sent a committee to Washington with it. That committee has recently reported—and the following parts of their report we think ought to be preserved:

Shortly after their arrival in Washington, the committee addressed a note to the president of the United States, couched in the most respectful terms, requesting that he would have the

*House, Walbach, Gates.	†Lindsay, Crane, Heilman.	‡Armistead, Bankhead, Brooks.	§Penwick, Eustis, Fanning.
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goodness to appoint a time when it would be agreeable to him to receive them for the purpose of expressing to him the views of councils, in relation to the official object of their visit to Washington.

On the same evening they received from him, with feelings which they will not describe, the following very unequivocal denial, viz:

"Washington, April 7th, 1834.

"GENTLEMEN: In reply to your note of this evening expressing a wish to present to me the views of the select and common councils of Philadelphia, in relation to the propriety of rechartering the bank of the United States, and restoring to it the deposits of public money, I have to observe that it will give me pleasure to see you as individuals, but not for the purpose of discussing those subjects, at any time to-morrow between 10 and 12 o'clock.

Whatever you may please to communicate, as a committee, if made in writing, will be cheerfully received and considered. For reasons which have been made public, I hold no communication with committees on such subjects that are not made in writing. I am very respectfully, your obt<sup>d</sup> serv<sup>t</sup>

ANDREW JACKSON.

Messrs. R. M. Houston, George S. Schott and others, committee on behalf of the select and common councils of Philadelphia.

On the same evening the committee returned the following reply.

"To the president of the United States:

SIR: We respectfully acknowledge the receipt of your note, in reply to our communication of this evening, and duly appreciate your invitation to see us "as individuals."

Under any other circumstances, we should have given respectful attention to this invitation. But not having come to this city "as individuals," but "as a committee from the select and common councils of the city of Philadelphia," if we are not permitted to appear in that character and "to discuss" those matters of deep interest to our constituents which caused us to be sent here, we feel constrained, by a sense of what is due to them, not to appear in any other.

R. M. HOUSTIN,  
GEO. S. SCHOTT,  
JOS. B. SMITH,  
JOSHUA LIPPINCOTT,  
JOHN P. WETHERILL.

Washington, April 7th, 1834.

The committee acknowledge having received very kind attention from many members of congress from different parts of the union, and of adverse politics; and they particularly return thanks on that account to Messrs. Clay, McKean and Southard of the senate, and Messrs. Binney, Harper and Watmough, of the house of representatives.

#### STATE BANKS.

Report of the committee of ways and means, on the employment of state banks as depositories of public money.

[Read in the house of representatives, April 29.]

Mr. Folk, from the committee of ways and means, made the following report:

The committee of ways and means, in pursuance of the third resolution of their former report upon the subject of the bank of the United States and the public deposits, which was adopted by the house, submit the following

#### REPORT:

The house, by its vote, having decided "that the state banks ought to be continued as the places of deposit of the public money, and that it is expedient for congress to make further provision, by law, prescribing the mode of selection, the securities to be taken, and the manner and terms on which they are to be employed," the committee deemed it proper, in a measure of so much importance, to ascertain from the secretary of the treasury his opinion and views, in regard to the regulations proper to be adopted in the employment of the state banks as the depositories of the public money, and the fiscal agents of the government; and also for his views in regard to the probable effects which would be produced upon the currency by such regulations. They accordingly addressed a letter to the secretary, requesting to be furnished with the information desired, and herewith report the answer which has been received.

In determining upon the mode in which the deposit banks shall be selected, the committee are of opinion that a due regard to the public interests will make it proper to leave the selection, in the first instance, to the head of the treasury department, or to some other person designated by laws; but, when once selected, to put it out of the power of the executive to discontinue such depository without the sanction or approbation of congress. Should it, however, be deemed expedient for congress themselves to designate, by law, the banks which shall hereafter be employed as depositories instead of delegating the power of selection, in the first instance, to an executive officer, there could be no objection to that mode, provided it be deemed practicable to make the selection, in such manner as to protect and preserve the public funds to be deposited therein.

The bill which they report prescribes—first the mode in which, and by whom, the state banks hereafter to be employed as the public depositories, shall be selected. Secondly, the terms and conditions upon which they shall be employed, the duties and services they shall perform, and the securities which

they may be required to give, in order effectually to protect the government against possible danger of loss; and thirdly, it provides that, when once selected, they shall be placed beyond the power and control of the executive department, except as far as the safe and prudent management of the public revenue may render such control indispensable.

The bill restricts the discretion of the executive and places it out of the power of that department to discontinue the selected banks as places of public deposit, to cases of failure on the part of said banks to comply with the terms and conditions on which they may be employed, or to cases in which any of the banks may become unsafe depositories of the public money, and reserves to congress the ultimate control over the whole subject.

By its provisions the secretary of the treasury cannot during the session of congress, dismiss from the service of the treasury any bank of deposit, without having first obtained the sanction and approbation of congress; and if during the recess of congress, any bank shall fail or refuse to comply with the terms and conditions upon which it has been employed; or if from the periodical returns of its condition and business, or otherwise, the secretary of the treasury shall deem it necessary, in order to protect and preserve public interest, to discontinue any of said banks as public depositories, he is authorized to issue such order, temporarily, but is required at the commencement of the next session, to report to congress the reasons and the evidence upon which he has ordered such discontinuance, reserving to congress the right to approve or reverse such order. Thus all apprehension that the power of the executive over the selected banks may be used as a governmental patronage, or for corrupt purposes, is effectually removed. So long as the selected banks shall continue to perform the duties required of them by the provisions of the bill, (should it become a law), and so long as they shall continue so to conduct their business as to keep the public funds deposited therein secure, they cannot be discontinued at the will of the executive, but will be entitled to their custody as a matter of right, unless it shall be the pleasure of congress to withdraw them, or change the place of deposit.

The committee concur with the secretary of the treasury in the views he has presented in his letter in regard to the importance of banishing from circulation bank notes of the small denominations, and of substituting gold and silver coin in their place. This may, doubtless, to some extent be encouraged and effected through the collection and management of the revenue. Congress possesses no power to restrict the state institutions from issuing small notes; but they have the power to impose as a condition upon which any bank shall be employed as a depository, that it shall first stipulate not to issue or use, after a given future day, notes of the smaller denominations, in the course of its business; and they have a right to refuse to receive in payment to the United States, the notes of any bank which shall not cease, after a given future day, to issue small notes. The bill, accordingly contains a provision to this effect, designed to induce the state banks to co-operate in banishing from circulation all notes of a less denomination than five dollars, after a given future day. In several states such a prohibition already exists, and in those states a metallic circulation has been found to take the place of the small notes which have been withdrawn. It may be necessary, hereafter, for congress to extend the prohibition to the issue of notes below the denomination of ten or twenty dollars. But the committee do not deem it expedient, at this time to recommend that the prohibition should be extended to notes above the denomination of five dollars. Should it hereafter be deemed proper, congress can adopt further legislative provisions on the subject.

It will be perceived from the letter of the secretary of the treasury herewith reported, that further legislation in relation to the coins constitutes an important part of his scheme of the currency. The committee concur in opinion that it is important that further legal provisions should be made regulating the value of foreign coins, and making the foreign gold and silver coins a tender in payment of debts, and also regulating the standard value of our own coins.

They have, however, reported no bill on the subject of the coins, because bills upon that subject, have already been brought before the house by a select committee to whom this particular branch of the subject had been referred by the house. They concur in opinion that it is important they should be acted on at the present session of congress.

Treasury department, April 15, 1834.

SIR—I have the honor to acknowledge the receipt of your letter, of the 7th inst. and proceed to reply to the inquiries made by the committee of ways and means.

In my report to congress at the commencement of the present session, assigning my reasons for removing the deposits from the bank of the United States, I expressed the opinion that a corporation of that description, was not necessary, either for the fiscal operations of the government, or the general convenience of the people.

One of the arguments most frequently urged in favor of the expediency of a bank of the United States, is the salutary influence which it is supposed to exert in securing to the country a sound currency. It is said the state banks have a constant tendency to over issue, and that a superior power is necessary, to keep them in check, and to control them in this particular—and the argument is constantly and earnestly pressed, that a bank of the United States is the fit and appropriate means to

accomplish this object. If there be any force in this argument, the paper currency furnished by the state banks, as well as that issued by the bank of the U. States, ought now to be in a sound state. The bank of the United States has been in existence seventeen years, and must have already exerted all the influence in relation to the currency, which can ever be expected from such an institution. And if it exercises a wholesome and salutary control over the conduct of the state banks, and restrains them within proper bounds, it has had full time and opportunity to exert that power, and the notes of the state banks, as well as those of the bank of the United States, ought now to be found in a safe condition. For it must be admitted, that we have gained but little by chartering the bank of the United States, if only the comparatively small portion of the paper currency furnished by itself, is sound, while the great mass of the circulating medium is inherently vicious, and liable to be disordered at any moment. It is believed that more than three-fourths of the paper currency, is furnished by the state banks, and if so large a portion of our circulating medium is unsafe and unworthy of credit, then the bank of the United States is either incapable of exercising the salutary control claimed for it, or it has failed to perform its duty to the public. In either event it is time to look for some other remedy.

Judging from the best information which the department has been able to obtain, the paper of the various banks, (including the bank of the United States), in actual circulation in ordinary times, amounts to at least eighty millions of dollars. Of this sum, the bank of the United States furnishes less than twenty millions, and the various state banks more than sixty millions; the specie in the vaults of the same banks, to support this extensive credit, does not probably exceed twenty-five millions.

In estimating the amount of specie, I confine myself to the coin supposed to be in possession of the banks. In some of the states, the circulation of bank notes below five dollars is prohibited by law, and in these states there is a considerable amount of specie passing from hand to hand, and forming a part of the ordinary circulating medium. It does not, however, probably, exceed four millions of dollars. This metallic circulation lessens by so much the amount of paper, and to that extent it diminishes the evil occasioned by the great disproportion between the paper superstructure and its metallic basis. But the coin which is thus circulating, cannot be brought in aid of the paper currency, when a panic, or any other cause, suddenly throws it back upon the bank for redemption. It cannot, therefore, be estimated as a part of the means to secure the payment of the actual paper circulation. It takes the place of so much paper in the mass of the circulating medium, and thereby lessens the amount to be redeemed. But it will never find its way into the banks when their notes are rapidly returning upon them. They must rely upon the amount actually in their vaults—and it is with this amount that we must compare the paper circulation, in order to decide whether it is in a safe condition. It is evident that the chief part of the paper currency of the United States must always be furnished by the state banks. No bank of the United States could provide a sufficient amount for the whole nation, without giving to it a capital of such enormous and startling magnitude, that no one, it is presumed, would seriously propose it.

And if congress are to legislate, with the view of securing to the people of the United States a sound paper currency, the condition of the notes of the state banks is of much more importance to the community, than that of any bank of the United States. The notes of the different local banks form the ordinary circulating medium for the great body of our citizens; and it would be unjust to them, to disregard its condition. The whole currency of the country should be placed in a sound and healthy state, as far as the legitimate authority of the United States will enable them to accomplish that object.

Under the authority delegated to congress by the constitution of the United States, they have no power to establish by law a paper currency; and the influence which they may lawfully exercise in securing its soundness, is altogether incidental. In legislating within the admitted scope of their authority, they may, without assuming powers not granted, look to the effect which their laws will produce upon an interest of so much importance as that of the paper circulation now floating through the country.

Taking this view of the subject, the first inquiry is, what is the present condition of the ordinary circulating medium of the United States? Is the great mass of the paper currency in a sound and healthy condition? If it is, we must endeavor to find means to preserve it in its present state, when the bank of the United States shall cease to exist. But if it is not, then it is obvious that the creation of a bank of the United States will not accomplish this desirable object, and that, even on the score of expediency, without reference to constitutional objections, some other plan should be devised.

If the estimate I have made of the proportion between the paper circulation and the specie in possession of the banks be correct, or nearly so, the condition of the currency is obviously such, that the nation should not be content with it, nor desire to continue it in its present state. It is an immense superstructure of paper, resting on a metallic foundation too narrow to support it. It has never been sustained by its own inherent strength, but by public confidence. When every one firmly believes that the notes of the banks will, on demand, be paid in coin, they readily circulate and answer all the purposes of money. But the moment that confidence is impaired, they lose

their value as a part of the circulating medium, and are returned upon the banks for redemption in specie, and the disproportion between the paper circulation and the coin prepared to redeem it, is so great, that it is constantly liable to have its chief support, *public confidence*, withdrawn from it.

In speaking of the dangers to which the currency is exposed, I do not mean to intimate that the state banks are unable to pay the amount of notes they have issued. On the contrary, I am persuaded that, with very few exceptions, they are as safe as the bank of the United States. For that bank has never been in a condition to redeem its notes in specie, if they were all suddenly thrown back upon it. My object in inviting the attention of the committee to this subject, is not only to show the real condition of the currency, but to mark the utter inconsistency of the argument, which urges the recharter of the bank of the United States, on the ground that it has furnished a sound currency to the nation, and at the same time, attempts to discredit the notes of the state banks. Both parts of the argument cannot be true. The bank of the United States has not furnished the nation with a sound paper currency, and has produced no salutary effect on the great mass of it, unless the issues of the state banks are now in a safe and healthy condition.

The difficulty under which the state banks are laboring at this time, does not prove that they are unsound, and that they have been worse managed than the bank of the United States; when reports injurious to the credit of the state banks are industriously and widely circulated, some degree of embarrassment is unavoidable; especially when it is generally supposed to be in the power of the bank of the United States to stop them at its pleasure. The evil is however in its nature temporary, and will soon pass away. And the intelligence of the citizens will readily discover that the present difficulty is the offspring of useless alarm, and of a deliberate design to destroy the credit of the state banks. And when the real object of the excitement, and unfounded rumors which are daily circulated, shall be understood by the people, confidence will soon be restored, and business resume its usual channel. The stoppage of a bank from any cause, naturally produces a run on the banks in its neighborhood, and if pains are taken to increase this excitement and alarm, the evil will be more extensively felt than it would be in ordinary times.

The dangerous expansion of the paper circulation, compared with its specie basis, shows that there is something essentially vicious in the whole system; and the mischief, so far from being corrected or lessened by a bank of the United States, is more probably aggravated by such an institution. The great amount of paper afloat proves that the quantity depends more on the discretion and judgment of those who make the paper, than on their ability to redeem it whenever it is called for. The dominion which a bank of the United States must always exercise over the smaller corporations of the states, vests in it the entire discretion of expansion or contraction. If it discount and issue its paper freely, the state banks are induced by the hopes of profit, to follow its example. If it suddenly curtails; they must curtail also, or become the victims of their own imprudence. And if, by any means, the conduct of that bank disturbs the public confidence in the safety of the state banks, their notes will be returned upon them with such rapidity as to endanger even the best managed institutions—and while such a power remains in the hands of a single corporation, the country will be constantly liable to sudden agitations and excitements from the alternate expansion and contraction of the currency; and those engaged in commerce will, in the years of abundance, be led into an extension of their business, which must in the succeeding years of scarcity, inevitably result in bankruptcy and ruin. In a time of pressure, confidence is easily shaken; and whenever it becomes the interest of the bank of the United States to excite alarm in the country, its great money power will most commonly enable it to effect the object, and by destroying confidence and credit, in a few months throw the whole business of the nation into confusion.

A system of currency thus liable to constant fluctuations, and always in danger of being entirely overturned, is certainly one of the worst that can be devised. Every species of property is unstable and insecure, unless the currency which is to be exchanged for it shall be steady in its value, and not liable to be seriously disturbed by accident or design. And the danger and evil is abundantly manifested by the history of the U. States, since the establishment of the present bank. Years of hollow prosperity have been succeeded by years of pressure and suffering; and the present condition of things demonstrates how readily a concerted effort to excite a panic and destroy confidence, may endanger the great mass of the circulating medium; and injure most extensively the property and industry of the country. The great evil of our present currency is the disproportion between the paper in circulation and the coin prepared to redeem it. The remedy is, to diminish this proportion, and to give to the paper currency a broader and firmer metallic foundation. Can this object be best accomplished with or without a bank of the United States?

I do not perceive that a bank of the United States, upon any plan, is likely to diminish the evil.

It may perhaps be supposed that a restriction on the bank, which would prevent it from issuing notes below twenty dollars, would tend to accomplish the object. But the only effect of such a restriction would be, to substitute the notes of state banks of the lower denominations, in the place of the notes of the bank of the United States.

Gold and silver will never circulate, where banks issue notes which come in competition with them. For it will invariably happen that when the circulating medium is composed of different kinds of money, and one of them is less valuable than the other, but not sufficiently depreciated to be discredited, the inferior will, after a time, become the general currency, and the more valuable will entirely disappear. This is obvious in the states where the banks issue notes as low as one dollar. For silver dollars are never found in circulation where paper ones are freely issued by the banks. In order, therefore, to bring the precious metals into use, the rivalry of paper must be effectually taken away. We must not only remove the notes of the bank of the United States, but also the notes of the state banks.

And to create a bank of the United States, and restrict its issues, as above suggested, would be to invite the state banks to issue largely that description of paper which will not be interrupted by the competition of the bank of the U. States. The paper circulation would not be diminished, nor would the proportions of the metals be increased. Paper dollars would still be manufactured in the same abundance; they would still come in competition with gold and silver, and drive them from circulation.

The restriction therefore on the issue of the smaller notes, cannot be effectual, unless the several states shall be willing to co-operate with the legislation of congress. They could hardly be expected to prohibit the issue of notes under twenty dollars by their banks, while a bank of the United States was in existence with all the advantage it would possess over the state institutions. And if they could be induced to unite in such a plan, the inevitable result would be to put an end to the state banks. For their circulation of larger notes would be so much restrained by the competition and superior advantages of the notes of the bank of the United States, that the small state corporations would probably soon find their charters of no value, and be compelled to wind up their concerns. The field for paper currency would then be left entirely to the bank of the United States. Their notes being receivable every where in payment of debts due to the government, would give them a credit beyond their real value. The temptation under such circumstances to over issues of paper would be almost irresistible. And after closing, by this course of legislation, the doors of the state banks we should soon find ourselves with a paper currency equally liable to depreciation with the present one, from the great disproportion the paper would bear to the specie provided to redeem it. In a plan which would lead to such results, we could hardly expect the states to come in aid of the legislation of congress, but we might count on their cordial co operation in efforts to place the whole circulating medium of the country on a safe and durable foundation, when it can be done without injustice to their own citizens who are interested in the state institutions.

The first step towards a sound condition of the currency, is to reform the coinage of gold. The present gold coin is worth more in silver than its nominal value. It is therefore never seen in the ordinary exchanges of the country, and it is worse than useless to continue the expense of coining it at the mint, unless it is intended for circulation. It will never make its way into general circulation until the relative value of silver and gold is observed, as near as may be, in the pieces coined of the respective metals. It has been truly said that gold is the antagonist of paper. Silver is too heavy to be transported from place to place, in large sums without inconvenience. Some other circulating medium of general currency is therefore necessary, even for the expenses of a journey from one state to another. There must be either a paper currency of general credit, or gold must be introduced. And it is essential that in its standard value as coin, it should be placed on its proper footing in relation to silver, before a paper currency of general credit can be conveniently dispensed with. The charter to the bank of the United States, by making its paper receivable every where for debts due to the government, furnishes a paper currency not equal to gold and silver, but yet of sufficient credit for common use, and for the purposes of travelling from place to place. This will continue until the 3d of March, 1835. It is desirable, therefore, that provision should be made at the present session of congress for the reform of the gold coins. The coinage will require time, and as this general paper currency is gradually retiring from circulation, the gold should be prepared to take its place. We produce gold to a large amount in the U. States, and the product is increasing every year. The greater part of it is now exported as bullion, and this will continue to be the case until the value of the gold coin is changed; even if the change should be made at the present session, there would not perhaps be a sufficient supply of our own gold coins to meet the demand for a circulating medium of general credit, at the expiration of the charter of the bank. But if foreign gold coins should be made a legal tender at their real value, there would doubtless be enough of that metal, at the time above mentioned, to meet the wants of the public. And there can be no sufficient reason for throwing out of circulation the foreign coins of gold or silver, which are current in other parts of the commercial world. Indeed as a measure of immediate relief in the present state of things, it is necessary that the foreign coins, both of gold and silver, should be made a legal tender, in payment of debts, according to their intrinsic value. Very large importations of the foreign coins are continually arriving in the United States, and if they can be used by the state banks to discharge

their engagements, they will, probably, remain here, and become a part of our circulating medium.

And if they were made a legal tender in payment of debts, it would enable the state banks to extend their issues, and to redeem their notes with greater facility. I respectfully invite the early attention of congress to this subject, and regard the proposed alteration in our laws as peculiarly necessary in the present exigency, and calculated to produce immediate and extensive benefit. As the bank of the United States withdraws its circulation, it is of the first importance that the state banks should be enabled to extend their issues and to supply immediately by their notes, the place which was filled by the bank of the United States.

With the reform of the gold currency, it is proper to associate measures to prevent the issue of small notes. The only step which congress could with propriety take, in relation to the notes of the state banks, would be to provide that no bank should be a depository of the public money, nor should the notes of any bank be receivable in payments of debts to the United States, which issued notes below a certain denomination. We may safely rely on the co operation of the several states to impose upon their banks the restrictions necessary to aid in this desirable change in the state of the currency. The alteration proposed, should, however, be gradual. A day might be fixed after which the restriction above mentioned should go into operation, as relates to notes below five dollars. A further restriction, so as to affect notes under ten dollars, would hereafter be advisable, and ought to be regarded as a part of the plan now proposed to be adopted. But it is not desirable, at this time, to name a definite day for that purpose. A great proportion of the issues of the state banks consists of five dollar notes.

Any measure calculated to impair the currency of notes of this description, about the time the bank of the United States is going out of existence, would be injurious to the public. When the bank of the United States is withdrawing its notes from circulation, the void must be filled up by gold and silver, or by the notes of the state banks, or the currency will be injuriously contracted. And if notes of five dollars were then put out of circulation, the diminution of the currency would perhaps be severely felt. And no measure should be adopted, calculated to impede their circulation, until it shall be manifest that the country is relieved from any inconvenience arising from the withdrawal of the notes of the bank of the United States. But as soon as that period arrives, and it is apparent that gold and silver can be provided for the ordinary circulation below ten dollars, it would be advisable to extend the restriction to notes of that denomination. For we can never be safe from the fluctuations of the currency until all notes below ten dollars are banished from circulation. And it will be still more secure when the restriction is carried up to notes of twenty dollars; so as to substitute the gold eagles in the place of ten dollar bank notes.

It will be seen from this statement, that it is no part of the proposed plan to dispense with the state banks. It obviously is not in the power of congress (if it desired to do so) to take any measures for that purpose, without an amendment to the constitution; and the states would not, and ought not to surrender the power of chartering banking companies. The state banks are now so numerous, and are so intimately connected with our habits and pursuits, that it is impossible to suppose that the system can ever be entirely abandoned. Nor is it desirable that it should be. They are often abused, like all other human institutions; yet their advantages are many, and under proper regulations, and with the metallic basis now proposed for their paper issues, they will be found of much public advantage.

If there were no state banks, the profitable business of banking and exchange would be monopolized by the great capitalists. Operations of this sort require capital and credit to a large extent, and a private individual in moderate circumstances would be unable to conduct them with any advantage. Yet there is perhaps no business which yields a profit so certain and liberal as the business of banking and exchange, and it is proper that it should be open, as far as practicable, to the most free competition, and its advantages shared by all classes of society. Individuals of moderate means cannot participate in them unless they combine together, and by the union of many small sums create a large capital and establish an extensive credit. It is impossible to accomplish this object without the aid of acts of incorporation so as to give the company security of unity of action and save it from the disadvantage of frequent changes in the partnership; by the death or retirement of some one of the numerous partners. The incorporated banks moreover, under proper regulations, will offer a safe and convenient investment of small sums to persons whose situations and pursuits disable them from employing their money profitably in any other mode. It is no more liable to be lost when vested in the stock of a bank than when it is loaned to individuals. The interest on it is paid with more punctuality and it can be sold and converted into cash whenever the owner desires to employ it in some other way, and if a larger portion of the metals are infused into the circulation, the business of banking will become more sound and wholesome, and less liable to the disasters from which it has suffered under our extravagant and ill-organized system of paper issues. It will render investments in banking companies entirely safe and secure to the holders, and afford them the almost absolute certainty of a reasonable profit, without endangering the capital invested in it. For this rea-

son, it is neither practicable nor desirable to discountenance the continuance of the state banks.

They are convenient and useful also for the purposes of commerce. No commercial or manufacturing community could conduct its business to any advantage without a liberal system of credit, and a facility of obtaining money on loan when the exigencies of their business may require it. This cannot be obtained without the aid of a paper circulation founded on credit. It is therefore not the interest of this country to put down the paper currency altogether.

The great object should be to give to it a foundation on which it will safely stand. A circulating medium composed of paper and gold and silver in just proportion, would not be liable to be constantly disordered by the accidental embarrassments or imprudences of trade nor by a combination of the moneyed interest for political purposes. The value of the metals in circulation would remain the same, whether there was a panic or not, and the proportion of paper being less, the credit of the banks could not be so readily impaired or endangered.

The state of the currency then, which is proposed in the foregoing observations, would provide silver and gold for ordinary domestic purposes, and the smaller payments—and the banks of the different states would easily be able to furnish exchanges between distant places according to the wants of commerce. There cannot, therefore be any necessity for a paper circulation of general credit throughout the country. Funds are more conveniently and safely transferred from place to place by draughts and bills of exchange than by bank notes. The immense operations between different parts of the U. States, are now chiefly carried on by this means, and it is only in particular places and for comparatively small amounts, that notes are used; and the local institutions would, without doubt, in a very short time make arrangements among themselves to furnish the exchanges which commerce requires, and the competition among many would reduce the rate of exchange to its proper level. Besides, they would find it their interest to make agreements among themselves to honor each other's notes to a certain extent, and thus furnish as far as might be necessary, a paper currency of general circulation, in such places as would be likely, from their intercourse with each other, to require such a convenience. But the establishment of such a paper currency ought not to have any aid, direct or incidental, by legislative provisions. While it rests upon mutual arrangements among the banks themselves, they will keep the issues of each other within proper bounds. But when they are able to extend their credit by any legal provisions, in favor of their notes, the temptation is constantly presented to avail themselves of this advantage; and over issues and over trading are the necessary consequences.

If, however a different policy should be deemed advisable, the advantages now given by law to the bank of the United States might easily be extended to the notes of the depository banks, and if their notes were made receivable in payment of all debts to the government, their currency and general credit would be quite equal to that now enjoyed by the bank of the United States. Believing however, that such a provision would be calculated to increase the issues of paper, I cannot recommend it. The chief object of the plan I propose is to increase the proportion of the metallic currency without diminishing inconveniently the general mass of the circulating medium, and any provision tending to enlarge the proportion of paper beyond what the public convenience requires, should be studiously avoided.

The advantage of the proposed plan over the present currency, will not be confined to the superior stability, of the paper circulation.

The laboring classes of the community are now paid their daily, or weekly wages, in bank notes of the smaller denominations, and if there are any in circulation of doubtful value and depreciated in public estimation, they are too often used in payments to the poorer and more helpless classes of society. They are not always judges of the value or genuineness of the notes offered to them; and consequently, are often imposed upon, and their small earnings still more diminished, by the depreciated character or entire worthlessness of paper in which they are paid. If the alteration suggested should be adopted, the smaller notes would soon be banished from circulation every where, and the laborers would, therefore, be paid in gold and silver, and that portion of society which is most apt to suffer from worthless or depreciated paper, and who are least able to bear the loss, would be guarded from imposition and injustice. It is time that the just claims of this portion of society should be regarded in our legislation in relation to the currency. So far we have been providing facilities for those employed in extensive commerce, and have left the mechanic and the laborer to all the hazards of an insecure and unstable circulating medium.

It may be objected to this plan, that in giving to the executive department, the power of selecting these fiscal agents from among the state banks, an undue influence may be exercised over them, and the power be used for improper and corrupt purposes. The answer to it appears to be a plain one. The states in which these institutions are situated, can at all times control them, and would effectually interpose to prevent such abuses of power. Besides, with the diminished revenue which will hereafter be collected, on the reduced tariff of duties, it is impossible to imagine that the gains to be derived from the public deposits, when distributed, as they must be, among so many

banks, and among so many stockholders in each bank, can ever be sufficiently important to tempt them to swerve from their duty, or to influence, in any respect, their conduct or opinions.

But it is proper, no doubt, in all cases, to restrict political power within certain and defined limits, and it will be advisable, therefore, to regulate the selection in such a manner, as to remove all apprehensions of its abuse. The following are respectfully suggested for consideration:

If the danger of abuse is considered by congress as one of any magnitude, and as likely to produce improper influence, it may be effectually removed by making it the duty of the secretary of the treasury to divide the deposits among all the incorporated specie-paying banks of the place where the revenue is collected, in proportion to their respective capitals actually paid in, provided they are all willing to receive them upon the terms prescribed by law; and if they are not all willing, then among so many as would agree to take them.

Every danger of abuse in the selection will, by this mode, be taken away; and the safety of the money could be secured, by authorizing the secretary of the treasury to demand security from any of these banks, when, in his judgment, the public interest required it; and there might also be a prohibition against removing the money to any place, except where it was immediately necessary for the purpose of disbursement.

This mode would somewhat complicate the operations of the department. Yet I do not perceive that it would produce any serious inconvenience to the public service. It might, and probably would make it necessary to employ one or two more clerks in the department. But that would be but a small consideration, if it be deemed advisable to take from the executive all discretion over the subject.

If, however, congress should agree with me in supposing that the danger apprehended from this discretion is more imaginary than real, I would then respectfully propose the following regulations:

1. That the secretary of the treasury should annually, at the beginning of each session, report to congress the bank which had been used by him during the year, as the depositories of the public money.

2. That the banks once selected as the depositories of the public money, should be continued as such; unless in the judgment of the secretary of the treasury, the public interest required the depository to be changed; in which case he should report to congress, at its next session, the reason of the change.

3. That, in all cases where there were two or more banks at the same place where the revenue is to be deposited, at least two should be employed as the depositories of the money of the United States, if they are willing to receive it, and give the security that may be required.

4. Where there shall be no banks at the places where the revenue is received, the money shall be deposited in such places as the secretary shall direct, subject to the same obligation to report to congress.

5. No bank to be selected as a depository of the public money, or continued as such, which shall deal in any stocks, except those of the state in which it is situated, or of the United States.

6. After the third of March, eighteen hundred and thirty-six, no bank to be used as the depository of the public money, which shall issue or pay out notes below five dollars, and the notes of no bank to be received in payment of debts due to the United States, which shall issue or pay out notes of a less denomination than that above mentioned, after the time aforesaid, nor shall any bank be a depository of public money which does not pay specie on demand for its notes.

7. Each bank selected for the deposit of the public money shall return a statement of its affairs to the secretary of the treasury, once a month, or oftener, if required. Such statement shall show the aggregate amount loaned to its own officers and directors and also the amount loaned on its own stock.

With these limitations it is believed that the public money will be safe—and that even the possibility of abuse will be taken away.

In submitting this view of the currency and the plan of improving it, I have endeavored to provide against the danger of a too sudden contraction of the present circulating medium. I am not prepared to say that the amount in circulation is at this moment greater, or even so great, as the convenience of the country requires. I think it is not. For it has been rapidly and injuriously diminished—and it is to be regretted that the pains taken to destroy confidence in the great mass of the circulating medium, has so far succeeded as to bring upon the community, the inconvenience and suffering which a rapid reduction of the circulating medium unavoidably occasions. The great object now in view is to terminate forever the evil of the present system, and to place the currency on a foundation so stable that it cannot again be shaken.

If a broad and sure foundation of gold and silver is provided for our system of paper credits, we need not hereafter apprehend those alternate seasons of abundance and scarcity of money suddenly succeeding each other, which has so far marked our history, and irreparably injured so many of our citizens.

These remarks are respectfully submitted for the consideration of the committee.

I have the honor to be, sir, very respectfully, your obedient servant.

R. B. TANEY, secretary of the treasury.  
Hon. James K. Polk, chairman of the committee of ways and means, house of representatives.



## SUPPLEMENTAL TO REGISTER, MAY 3.

## DEBATE IN THE UNITED STATES SENATE.

Monday, April 21, 1834.

The explanatory message of the president of the United States having been read, and a motion having been made by Mr. *Poindester*, in accordance with his motion in reference to the original message, that it be not received—

Mr. *Preston* took occasion to say that he was delighted at the message which the president of the United States had done the senate the honor to send in to-day. He was extremely gratified also at the message which had now been submitted, not only because it put a gloss on the principles contained in the first paper, and thus betrays the apprehension of the president, that, in their original and naked form the whole country, every man in the country, would revolt against them. And he was also delighted, because it proved that the ear of the president has not been entirely closed against the debate in senate, and that these debates had been successful in compelling him to change the expression of his views. He believed that, before the termination of the session, there would be many such explanations; that every day would be productive of them; until finally, the text would be absolutely overwhelmed by the commentaries.

Mr. *Forsyth* did not understand very well what progress was to be made in this business. The honorable senator from Mississippi proposed that his condemnatory resolutions should be placed upon the journals of the senate, and that the message should not. He (Mr. *Forsyth*) should imagine it must be decided, in the first instance, whether the document would be received. He submitted to the gentleman whether it was not due to the character of the senate and that of the chief magistrate, that the paper, as well as the resolutions condemning it, should be placed on the records. With respect to the explanatory message to which reference had been made, he was somewhat glad that it had been sent to them this morning, not because it altered, in the slightest degree, in his opinion, the correctness of the opinions contained in the message of the president, but because it prevented a construction being given to his language different from that which he intended. He (Mr. *F.*) understood the original message to assert only a very simple proposition—that it was not possible for the legislature of the United States to create another executive power. The gentleman from South Carolina was mistaken in regard to the object of the supplementary message; it was not sent to correct an error, but for the purpose of giving a more full explanation of a previously expressed opinion, to prevent an erroneous impression from being entertained. He (Mr. *F.*) hoped the honorable senator from Mississippi, with his usual candor, would withdraw his motion to print the resolutions, and let the senate decide first whether it would not receive the message. It would be manifestly unjust to refuse to put the paper on the records while the resolutions were placed there. It would be wrong to make any such distinction. What would posterity think of the act? recording a strong condemnation of a chief magistrate without doing him the justice to preserve his defence. Would they think it just or unjust? Surely, surely, senators would not act so unfairly. Independent of all other considerations, such as the high position he occupied in the confidence of the people, it would be most unjust to him as a simple individual.

Mr. *Ewing* said, the gentleman from Georgia was mistaken, if he supposed the resolutions of the senator from Mississippi were moved at all. They were merely laid on the table, to be taken up hereafter, when gentlemen would have an opportunity of presenting their views on the subject to which they related. He would make an observation or two, with respect to what fell from the honorable senator from Georgia. That gentleman had said, that it would be extremely unjust in the senate to put upon its journals the resolutions condemnatory of the protest, without that paper. Now, the honorable senator could not have attended to the protest, or he would have discovered that the president says he has entered it on the executive journal, as condemnatory of the resolution of the senate. The senate had not requested him to do it, and took it for granted it was not done. He had,

no doubt, consulted his own convenience by placing it there, as it would serve as a reference. But, as for putting his protest on the journals of the senate, he (Mr. *E.*) could not consent, because it strongly reflected on their own resolution.

Mr. *Poindester* said, he took the same view of the subject as the honorable senator from Ohio; that, although the protest should not be recorded on their journals, it was entered on the executive journal. It was a part of the archives of the state department, and the resolutions he had offered to the senate, would be nothing more than an explanation to posterity, showing the grounds upon which it refused to receive the paper. This was all. It was an extra-official document, and such a one as could not be made to either house of congress, and therefore ought not to be received. He had shaped his resolutions so as to speak in general terms of the paper, in order that hereafter it might be adverted to without difficulty. He would not, at present, go into any discussion on the subject, but would merely move that the last message be laid on the table.

Mr. *P.* then offered his resolutions, and moved that they be printed.

Mr. *King* wished to know whether the resolutions presented by the senator from Mississippi were offered for consideration, or merely informally? If they are laid on the table, they must be before the senate.

Mr. *Calhoun* said, the motion to print a paper, proposed to be offered for adoption, was one of those motions which were frequently made in the ordinary course of business.

Mr. *Forsyth* said, he might be mistaken, but it had occurred to him that the motion of the honorable senator from Mississippi, to print the resolutions, which were hereafter to be presented to the senate, must go on the journals. He (Mr. *F.*) took it for granted that the message, as well as the resolutions, would be put upon the journals of the senate. With respect to what had been said by the gentleman from Ohio, he was entirely mistaken. The president had done justice to the senate, whose resolutions were spread in broad characters on the protest. So that posterity would be able to see all the transaction.

Mr. *Clayton* said that was the first time he had ever heard of the executive journals of the president, in which he might enter and record his manifestoes, or the resolutions either in this or the other house of congress. But with this, he (Mr. *C.*) had, at present, nothing to do. He rose for the purpose merely of expressing his surprise at the sentiment advanced by the gentleman from Georgia, that the paper sent to the senate this morning retracted nothing of what was stated in the original protest. The principle argument of the first protest stood on this ground—that the executive was entitled, by the constitution, to the care of the public money, in defiance of any act of Congress. The honorable senator from Virginia, and other gentlemen who spoke on Thursday and Friday last, contended that, if that was constitutional law, the necessary inference to be drawn from it was, that should both houses of congress order a restoration of the deposits by a constitutional majority of two-thirds, still, the president having the custody of the money, had the power to retain it. He (Mr. *C.*) understood what was the object of sending to the senate this supplementary message. The president, having found out that such sentiments as are contained in his first communication, relative to this topic, would not be very palatable to the people, had attempted to explain away, at least, a part of his assumption, which was to his (Mr. *C.*'s) mind, the most exceptional feature in the document, and one which, if acquiesced in by the American people, would at once reduce this government to a despotism. It was a doctrine, the principles of which, if admitted now, would give the uncontrollable right to the present president, as well as all future presidents, over the public purse, in addition to the sword of the nation. It would tax even the ingenuity of the honorable gentleman from Georgia himself, were he to take the sentences contained in the first protest, and read them in parallel columns with sentences in the message which had been sent to the senate that morning, to take a plausible explanation of the one, consistently with the doctrines contained in the other. The honorable senator from Georgia had designated it a mere "explanation," and he (Mr. *C.*) should not quarrel with

any one about the term. He considered this paper as retracting; withdrawing much of what had been boldly claimed in the other; and he heartily concurred with the gentleman from South Carolina, that it was to the stand taken in that senate they were indebted for a restoration of even so much of the constitution and laws.

Yes, sir, this paper was received in such a spirit as had satisfied the executive that the doctrines which it contained would not be sustained by the free people of this country. What course the senate would take with regard to the protest, in which there was still left so many objectionable features, he knew not. The president still denied the constitutional right of the senate to consider his prerogative, or executive power, and to debate upon it, much more to express an opinion by a vote with respect to its extent. That was a principle which the president must fully and clearly retract, before he (Mr. C.) should become satisfied with the document. His next message must contain an acknowledgment of the right of the senate to express its opinion, by resolutions or otherwise, as to it may seem best, defining the limits of his power for its own government, before such a document would become palatable to him, (Mr. C.), and meet with his concurrence for its reception; and as a doubt, in the opinion of many, is still left as to his entire meaning in *this* supplemental message, his next must, without any equivocation, distinctly renounce all claim to the uncontrolled power over the public purse, before it can be adapted to the taste of the freemen of this country.

Mr. Webster rose. He said he had arrived in the city and resumed his seat since the debate began, and he rose to say that he thought the transmission of this protest to be one of the most important and ominous occurrences of these extraordinary times. It is, said Mr. W. a communication of so anomalous a character, in the first place, that it perplexed the discrimination of the senate to know what preliminary disposition to make of it. Some are for receiving it, others are against receiving it, although it has been read, and its contents commented on. It seems to hang, at present, in a pendulous condition, between reception and rejection. It has no resting place. It is like the coffin of Mahomet, suspended between heaven and earth, as unfit to go higher, and finding no proper abiding place below. But I am unwilling that the discussion of this great and grave topic should be embarrassed by questions of form. I am obliged to the member from Mississippi for the strong grasp which he laid on the principles of this paper, at its first appearance, but as to the form of proceeding with it, I confess I should have preferred to have passed over the question of reception, and gone at once into the substantial character of the protest itself. It is too interesting, and will prove so—too exciting, and will prove so, to go from the senate, till it shall have received such discussion and such reply as it is entitled to.

It is said that the paper is indecorous, and justly offensive to the self-respect of the senate; but there is much more in it than indecorum, or want of respect to the senate; and I think we shall best consult the character of this body, and better fulfil the expectation of the country, by going at once to the dangerous assertions of power which the paper sets up, and fully exposing those claims of power to the people.

The president denies that this house, or indeed either house of congress has any right to express any opinion upon his conduct, except by way of impeachment. This is, indeed, new and startling. That in a popular representative government, the representatives of the people may not express their opinions upon measures of the executive power, is a doctrine, I believe, now, for the very first time put forth. Who has ever heard of it before? Though this right is denied to either house, the president's reasons are urged mainly against the right of the senate, and the chief reason is, that the senate are judges in case of impeachment, and that, therefore, until impeachment come, it should be silent. But this objection, it is obvious, would stop the mouth of the senate, with respect to every other officer of the government, as well as the president, because all officers are equally impeachable, and the senate must try all impeachments.

I know not, sir, who drew this protest; but whoever he was, instead of looking for sound constitutional prin-

ciples in the history of free governments, in the practice of legislatures in the United States, or elsewhere, he has contented himself with an ancient truism from the black letter law books, that the house of lords cannot institute an impeachment, or frame articles, and then try it themselves. But do not the lords, as well as the commons, express their opinions, by votes and resolutions; of the conduct of ministers of the crown? Yet they have the power, and the sole power of trying impeachments. The senate has an undoubted right, in my opinion, to express its opinions on the public conduct of executive officers. The contingency, that it may be called on to try an impeachment, is no bar to the exercise of this right. Doubtless there may be cases in which the propriety of its exercise might be much influenced by the consideration that the senate held the power of judging on impeachment. But this is matter of discretion. In every case, the senate must proceed upon its own sense of propriety and justice. There may be, sometimes, good reason to refrain from expressing opinions, and sometimes there may be the highest propriety in expressing such opinions in the strongest manner. The right of doing so is clear, and is not to be disputed. The possession of judicial power does not abridge the legislative power of the senate. It does not take away any of its rights as a representative body.

Sir, the president of the United States has been misled. He is uninformed, or misinformed, as to the real state of opinion in the country. I fear there are those who share his confidence, and who present to his view only one side of things. The state of the country is alarming. Members of the senate, who have not been out of this city for five months, are not aware of the depth and strength of the public feeling. I should like to know what advisers have recommended to the president to send us this protest. Its circulation through the country will add fuel to feelings already sufficiently kindled. The president has around him the heads of departments. Can any body tell us whether any of those heads, and if any, which of them, advised to send this paper to the senate? Or which of them, if any, sat by, neither assenting or dissenting, afraid to speak their minds, or unwilling to hazard their places?

Sir, it is not without some color of reason, that the president, in this paper, speaks of the heads of departments as *his* secretaries. One half of them have never been confirmed by the senate. Three of them, usually called members of the cabinet, being one half of the whole, were appointed last year, in the recess of congress, and now, when we are near the end of the fifth month of the session, their appointments have not been sent to the senate for confirmation. This is a thing before altogether unheard of. I hesitate not to say that this course is derogatory to the rights of the senate, and inconsistent with the intent and spirit of the constitution. It is altogether without precedent. Other presidents have felt it their duty, when they have made appointments in the recess, to send them to the senate immediately upon its assembling. Usually such nominations come to us the first ten or twelve days of the session. It has rarely happened that they have been delayed as long as a month. But near five months have now elapsed, and yet these nominations are not sent to us. When they do come, I hope we shall know who has approved the sending of this protest. I hope we shall learn who has made himself partaker in it by positive sanction, or silent acquiescence.

Sir, I will not now discuss the assertions, the pretensions, the dangers, of this protest. Others are in possession of the debate. I do not see that the case is altered by this codicil. The whole measure is of an alarming character. It attempts one great stride towards the accumulation of all power in executive hands; a stride which I doubt not the senate will resist with firmness and constancy; and in that resistance they will be supported by the country.

Mr. Forsyth said, it was very unimportant to him whether the last message was considered an explanation or a retraction. If the honorable gentleman from Delaware entertained such impressions as he had just stated, it was very easy to be accounted for. He had probably read the message with a desire to see that the president had committed an error, and, in consequence, might have

formed an unfavorable judgment of it. Now, with regard to what had been said by the honorable senator from Massachusetts, he begged leave to say a word or two. That senator had reiterated a complaint, which he had heretofore made, in regard to the withholding by the president of certain nominations of high officers of the government. He was mistaken in point of fact. There was not one-half of the cabinet whose nominations had not been sent to the senate.

[Mr. Webster said there were three—the secretary of state, the attorney general, and the secretary of the treasury.]

Mr. F. resumed. The principle was the same, whether it was a portion only or the whole of the cabinet. The honorable senator had told the senate that those officers were in the discharge of important duties, in violation of the principles of the constitution, and in derogation of the rights of the senate. He would ask the honorable gentleman if he had recently read the constitution?

[Mr. Webster. Yes, sir.]

Mr. F. continued. Then he would beg to call his attention to a particular part of it, which declared that persons commissioned by the president should hold to the termination of the next session of congress. And this was an answer to the charge of a violation of the constitution having been committed. They were the officers of the United States, as much as if they had been confirmed by the senate, and would remain so to the termination of the session. It was true there would have been some difference in their position, at this time, if their nominations had been presented to the senate and they had been condemned by it. And upon this was based the complaint. Honorable senators desired that the nominations might be made, in order that they might sit in judgment on them. He had reason to believe that that was the fact, from the suggestion which had been made by the honorable senator to-day, that some plausible reason was always sought for, so that the presentation of the nominations might be postponed. The gentleman had expressed a wish to know which of the persons who would have to come under the adjudication of the senate had acquiesced in the message. Perhaps (said Mr. F.) there might be an occasion, before the end of the session, to enlighten his judgment, and then he would know exactly how he should decide on another matter. He (Mr. F.) would contend that they were officers, acting according to the constitution, and that the president had not derogated from his duty, and he dare not do otherwise, to present the nominations in question before the adjournment of congress.

With respect to this anomalous proceeding, it was unprecedented—the first instance in the history of the government, in which the executive had been arraigned before the people by the extra-judicial conduct of the senate. Did the honorable gentleman from Massachusetts think it a trifling matter that the president should have been charged with violating his duty and forgetting the solemn obligations of his oath? And to whom was the president to address himself but to those from whom the charge had emanated? The senate had arraigned him; and the honorable senator particularly and others, had said that the remedy for all this lay with the people. He (Mr. F.) would admit that it was for them to decide whether or not he was correct; and, if he was found guilty to punish him for violating the constitution and the laws.

But, he would ask, if it was not the right of a party, after being condemned without a hearing, to be heard thereafter? The question now before the people was placed there by the senate. The president then had, at least a right to be heard by the people—no one would pretend to deny it—and they would decide on his conduct, and either sustain or condemn him. How could the executive defend himself, without presenting to the senate a statement of his case? If he had thought of committing a fraud, he might have interwoven that message with a legislative proposition, which the senate would have been compelled to have received, and could not have resisted; but he had done no such thing. He had presented a fair statement of his case, and asked only that it might be preserved, in order that his views might be seen by posterity and the world. And he had come to the senate, not as a chief magistrate demanding that

his views might be preserved on the record of the country; but with a request that they might be preserved on the journal of the senate with the resolutions condemning him—that no inference contrary to the executive power hereafter might be drawn, and for the purpose of having justice done to his opinions as an officer and a man.

He (Mr. F.) entirely concurred with the honorable senator from Massachusetts—that the country expected and would demand, at the hands of the senate, that this matter should be solemnly considered and decided; that the question which it had raised should be treated as it deserved, neither forgetting what was due to the dignity of this body, nor to the high station and dignity of our chief magistrate. There were most important and grave considerations connected with this matter. Be they true or false, they must be treated with that respect, moderation and forbearance, which became the dignity of the senate, or that body would be lost in the opinion of the American people. Let the conduct of the president be fairly examined, and no incorrect inferences be drawn. Yes, that was the way, and the only way in which he ought to be treated. His (Mr. F.'s) opinions on the whole matter were perfectly well understood. He considered the charge which had been made against the president as uncalled for, unnecessary, and improper; but he trusted that the senate, in its future conduct, would not forget what was due to itself, and to the dignity of our chief magistrate, so that justice might be done him. He (Mr. F.) was of opinion that the senate had travelled beyond the bounds of propriety, and deserved—what he believed would, in due time, be meted to them—a sentence of condemnation by the people.

Mr. Webster replied. The gentleman from Georgia, said he, has referred to the decision of that high tribunal, by whose decision all public men, and all public bodies, must ultimately stand or fall. I cheerfully join in the appeal, and have no fear of the result. It can never be, that the people of the United States will, for no earthly reason, submit to severe suffering and to encroachments on constitutional liberty; and, I doubt not, the same people will stand by the senate in all its just and constitutional efforts to sustain its own rights and the rights of congress. I believe the senate stands strong in the confidence of a majority of the nation, and that nothing would more produce dismay and despair than that this body should be found to flinch or falter in a moderate, but firm and decided, opposition to the present course of public measures.

The gentleman supposes I am mistaken as to the number of members of the cabinet not yet nominated to the senate. But there is no mistake. The secretary of state, the secretary of the treasury, and the attorney general, have been in office six or seven months, and have neither of them been yet sent to the senate for confirmation. What reason is to be given for this departure from all former practice of the government? How is it to be justified? We may conjecture a reason, indeed, but it is such a reason as ought not to exist. I know well that these officers hold commissions which run to the end of the session. Such is the constitutional provision. But I know, too, that although that be so, all other presidents have laid such appointments before the senate early after the commencement of the session. This has been the uniform course; and to hold so many of the heads of departments, for so many months from the beginning of the session, is a thing altogether without precedent.

As to the protest, sir, it appears to me, that the honorable member from Georgia has conceded it away. He admits that there may arise emergencies in which the senate has a right to express its opinion upon executive proceedings; to make a case, as he expresses it, for the consideration of the people. If this be so, then the senate itself is to be the only judge, when that emergency has arisen. The gentleman's admission acknowledges the right. The exercise of the right then, on any given occasion, is matter of discretion; and this is precisely the ground on which I placed the question when last speaking. Indeed, it cannot be otherwise. Suppose the president should commission persons to office, whom the senate has rejected; might we not resolve, that such a proceeding was unconstitutional? Suppose he should threa-

ten to turn us out of our seats, by force; might we not enter on our journal a resolution against such menace? No one, surely can doubt this. The senate, then possesses the right; on a recent occasion it saw fit to exercise that right, in its discretion, and under its own sense of duty; and it is a right which its members are bound to maintain, in behalf of themselves, and for their successors in all time to come. I say nothing, at present, upon the claims of executive power put forth in the protest. All I mean now, is, to assert the right of the senate to express its opinion upon the conduct of the executive, in critical emergencies, and on momentous occasions, notwithstanding no impeachment be pending before it.

Mr. Clayton said, the senator from Georgia had observed, that perhaps he (Mr. C.) had been influenced by a desire to find the president in error when perusing his protest. Those who shall read the remarks of the member from Georgia himself, in reference to the same paper, and who are not acquainted with his independent and unyielding course of opposition to all executive encroachments, will rise from that reading with a deep conviction that the honorable member, before he knew the contents of the protest, was predetermined to support it, with every thing contained in it, right or wrong; and they will probably not consider the honorable member a proper judge of the motives with which other persons have perused the same document.

Sir, this protest, which meets the cordial approbation of the senator from Georgia, strikes at the constitutional rights, and even at the very existence, of the body of which he is a member. While the president complains of the length of the senatorial term of service, he distinctly declares, that the conduct of the senate, in daring to censure his acts, if persevered in, must inevitably lead to changes in the constitution itself. He singles out individual senators as the objects and victims of his displeasure; almost denies to them the privilege of suffrage here, in relation to his conduct; and denounces the senate for daring to debate and decide upon his princely pretensions to prerogative—his unlimited and illimitable claims to executive power. Because we have, with a view to regulate our own legislative and executive action, ventured to lay down a principle, by a resolution, defining and circumscribing the limits of his power, we are not only menaced by him, but even lectured by a member of the body itself. To what period of history shall we look for a parallel to these things, which are daily passing before our eyes?

Sir, it was in the year 1591, (was it not?) that the judges solemnly decreed that England was an absolute empire, of which the king was the head. In that age, the royal claims of prerogative gave birth to a debate in parliament, in which Mr. Spicer, (a member of the kitchen cabinet of the time, I suppose), said, the crown "could not be tied by any law, because it might loose itself at pleasure." And Mr. Secretary Cecil told the other members—"If you stand upon law, and dispute of the prerogative, hark ye what Bracton says—*prærogativam nostram nemo AUDEAT disputare*." Mr. Francis Bacon, a whole hog man, sir, said—"As to the prerogatives royal, he never questioned them, and he hoped they would never be discussed." When the question of subsidy was before them, Mr. Sergeant Heyle said—"Mr. Speaker, I marvel much that the house should stand upon granting of a subsidy, or the time of payment, when all we have is the crown's, and may be lawfully taken at its pleasure from us. Yea, it hath as much right to all our lands and goods, as to any revenue of the crown." At which says the historian, all the house hemmed, and laughed, and talked. "Well, quoth sergeant Heyle, all your hemming shall not put me out of countenance." [We have some in this day, said Mr. C. who are as hard to be put out of countenance.] "So the sergeant proceeded, and when he had spoken a little while, the house hemmed again, and so he sat down. In his latter speech, he said he could prove his former position by precedents, in the time of Henry III, king John, king Stephen, &c. which was the occasion of their hemming." Had sergeant Heyle lived in our day, there is no telling to what a pitch of greatness he might not have attained. It can hardly be too much to say that he might have been a secretary of the treasury, or at least a postmaster general, with a promise of the Russian mission in reversion.

Observe, sir, that, in the debate to which I have referred you, the advocates of power did, as they do still, seek to support it chiefly by precedent and usage. The president builds his pretended prerogative to absolute control over the secretary of the treasury, in the matter of managing the public revenue and keeping the public deposits, on "the usages and precedents of the government." The precedent on which he and his advocates here rely, was established, not so far back as that of sergeant Heyle—not in the days of king John or king Stephen—but in the day when the elder Adams gave his casting vote in the senate in favor of the removing power, and laid the foundation for the present claim in the most latitudinarian of all constitutional construction that was ever attempted. The power of removal was based exclusively on the pretence that it was necessary for the president to have it, as an incident to his duty to "see that the laws are faithfully executed." But until this day, it was never dreamed, by the most visionary of the high tory school, that the power to remove embraced the power to control the officer in every act he was to perform. This president is entitled to the fame of discovering, that, as his oath of office binds him to see the laws faithfully executed, he is to exercise the power of controlling the secretary of the treasury, and every other officer, in the discharge of duties. The monstrous character of this pretension has been thus illustrated: The president thinks that a decree of a district court, or a circuit court, or the supreme court of the United States, is unconstitutional. He fulminates a bull against the court, and demands of it to enter his protest on its records "to the end that it may never be drawn into precedent again," as in the case of our resolution. He then orders the marshal not to execute the writ issued by virtue of the decree. The marshal persists in the discharge of his duty, and says he is sworn to execute the writ. The president replies, you are an executive officer, and as I must "see that the laws are faithfully executed," and as the constitution, which has been violated by the court, is the supreme law, I command you not to execute the writ. The marshal still persists, and the president removes him—appoints another, and removes him, and pursues the same process until he finds a tool to obey his will, and thus abrogates the decree of the court. He is to exercise the same power over every other executive officer appointed by him alone, or by the president and senate. This is the claim he sets up in this protest—this is the exact character of that ultra despotic rescript which he thinks this senate is bound to register at his sovereign, will and pleasure. In every state constitution, the same provision, on which the president erects his pretensions to those powers, will be found. They all provide that "the governor shall see that the laws be faithfully executed." If, in one of the states, the governor should order the public money to be removed by the state treasurer, it would be acknowledged usurpation. Should he actually remove him from office for it, he would hardly escape impeachment himself. Yet, under color of this single clause in the constitution of the United States, that, "the president shall see that the laws are faithfully executed," the chief magistrate has claimed the power not only to remove every agent whom congress has placed in custody of the money of the nation, but also to remove the money itself, when and where he pleases.

Sir, such a paper as this, claiming absolute power, and denying to the representatives of the people of England, or either house of parliament, the right to discuss and decide upon the extent of kingly power for the government of their legislative action, would bring the head of a British monarch to the block. It remains to be seen whether the milder temperament of the people of our free country will stamp it with the authoritative sanction of their verdict against this senate at the polls. For one, I will stand or fall on this issue before the people of that state, to which—and not to Andrew Jackson—I owe allegiance. By their judgment, unawed as they have ever been, and ever will be, by official patronage and executive power, will I be tried, and by no other. They shall say for me whether this paper, couched in the language of a Roman dictator to the senate, proposing only to "expose" it and degrade it, by compelling it to enter on its own records such claims of absolute power as it contains, is, or is not, a breach of the privileges of that body on whose

preservation their rights, and those of all other small states of this union, eminently depend. If this house were now to send to the representatives a bulletin such as this, lecturing them for the passage of their resolutions approbatory of the act of the executive in continuing the pet state banks as banks of deposit, they would instantly vote such an interference a breach of their privileges. Seeing this, the people to whom alone I defer on this subject, shall try for me, in the last resort, the co-ordinate powers and privileges of the two branches of congress. But until their verdict be given on this issue, no judgment will be entered or recorded against the senate by the votes of their representatives.

The senate then proceeded to the consideration of the unfinished business.

#### BALTIMORE MEETING.

Held 23d April, 1834.

Having briefly noticed this great meeting of the people, we did not expect to recur to it again—but seeing that meetings for similar purposes are about to be held at other places and may become general, and that the matter of the protest of the president will probably become a leading subject of public discussion, we have thought it “due to the record,” that an account of the first meeting held to protest against the protest should be registered for future reference and use.

From the *Baltimore Chronicle* of April 24.

#### ORATORICAL MEETING OF THE PEOPLE.

At an early hour yesterday afternoon, in pursuance of the previous call, the citizens thronged Monument Square, the contiguous streets, and the area in the east front of the court house. The meeting was organized by the appointment of

General WILLIAM McDONALD, president.

Vice presidents.

Luke Tiernan,	Solomon Etting,
Charles F. Mayer,	J. K. Stapleton,
John B. Morris,	Nathaniel F. Williams,
Jacob Rogers,	B. I. Cohen,
Samuel Mass,	Wm. Hulbard,
Wm. Lorman,	John McKim, jr.
Robert Purviance,	George Waters,
Wm. Crawford, jr.	John Fallon.
Darius Stansbury,	

Secretaries,

David Stewart,	Peter Leary,
S. D. Walker,	E. Larrabee,
W. H. Gatchell,	Z. H. Coohc.
A. Kirkland,	

After which the meeting was addressed in a most impressive and eloquent manner by John P. Kennedy, esq. who concluded by proposing the following resolutions, which were seconded by Charles Carroll Harper, esq. in a speech which elicited the most cheering applause from the immense multitude.

*Resolved*, That this meeting consider the protest transmitted to the senate by the president on the 17th inst. and published on the 18th in the official paper at Washington, as an appeal by the chief magistrate to the people against the proceedings of the senate in reference to the resolution passed by that body on the 28th of March last; and as the said protest professes to set forth the views entertained by the president as to his powers under the constitution, this meeting deem it their right and duty to express freely their opinion on the subject matter of the appeal.

That they do, therefore, upon mature reflection, uninfluenced by sentiments of political hostility to the president, but deeply impressed with a sense of the value of their free institutions, and jealously alive to every form of encroachment upon the true principles of the constitution, whether the same proceed from mistaken views of power, or from ambitious motives, most earnestly and heartily dissent from the doctrines promulgated in the said protest.

1. That they do utterly repudiate the doctrine that the resolution complained of by the president “is wholly unauthorised by the constitution and in derogation of its entire spirit.” But, on the contrary, they hold that it is of the very essence of our free government, that either branch of the national legislature shall carefully note and clearly announce in the form of joint or separate resolution, any act, by any public functionary which, in their opinion, may be an invasion of the constitution; and that “the official acts of the executive may be taken up, considered and decided upon, by either branch of the legislative department, for the purpose of public censure, without any view to legislation or impeachment!”

2. That they do entirely reject the doctrine promulgated in the protest that because, in a possible contingency of rare occurrence, the senate may be resolved into a judicial body to try impeachments, it is thereby debarred the right of announcing to the people an act of malversation, constitutional encroachment, usurpation or corrupt design, coming within its knowledge, of any officer of the government, although it may have, at the same time, every reason to believe that a majority of the house of representatives will not prefer an impeachment. It being the opinion of this meeting that, precisely in such a case, does it become the most solemn duty of the senate as guardians of the constitution to proclaim their opinion upon such official misconduct.

3. That this meeting heartily deprecate, as an unauthorised assumption, the doctrine that “the whole executive power is vested in the president”—that “he is responsible for its exercise”—and that “it is a necessary consequence that he should have a right to employ agents of his own choice to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts.” For although this meeting do not deny that he has the power of free selection in his appointments to office, and, by settled usage under the constitution, the power of removal, yet they do most strenuously reject the notion that the public officers are his agents, subject to his control or supervision, or, in any manner, responsible to him for the faithful performance of their duties: This meeting hold that, like himself, these are the officers of the law, responsible to the law, and subject to no man’s dictation in the conscientious performance of the duties assigned to them by the law: That neither the power of appointment nor of removal infers the right of control, asserted by the president, over the conduct of the officer while faithfully performing the duty required of him by the law. And although the members of the cabinet, being in matters of policy, the privy councillors or confidential advisers of the president, may, in such character, be properly subject to frequent removal from office—yet, in all matters where special duties are assigned to them by law, they are as independent of the president as any other functionaries of the government; and it is a plain infraction of the spirit of the constitution, for the president to use his power of removal in order to subvert them to his will, in a matter confided by law to their independent official judgment and discretion.

4. That this meeting unhesitatingly repel the inference which the president draws from his constitutional obligation, “to take care that the laws be faithfully executed.” They hold, that this obligation does not make him “responsible for the entire action of the executive department”—nor does it give him the power of overseeing and controlling those who execute the laws: The extent of his obligation being, in the judgment of this meeting, to see that every officer faithfully performs the duty required of him by law, according to the dictates of his own conscience and honest judgment; and every officer so performing his duty, is entirely independent of the president, or any other authority in this land. He is then amenable to the law, and the law alone.

5. That this meeting utterly reject, as dangerous dogmas, the president’s assertion that “whenever or howsoever the public money be obtained, its custody always has been, and always must be, unless the constitution be changed, intrusted to the executive department;” that “no officer can be created by congress for the purpose of taking charge of it, whose appointment would not, by the constitution, at once devolve on the president, and who would not be responsible to him for the faithful performance of his duties.” And, that “congress cannot, therefore, take out of the hands of the executive department the custody of the public property or money, without an assumption of executive power, and a subversion of the first principles of the constitution.”

In opposition to these pretensions, this meeting affirm, as their opinion, that it is entirely competent for congress to place the public treasure in such depositories, and in the custody of such functionaries, as they may choose to create, whether they consist of a bank—or of commissioners named and appointed by an act of congress—or of an individual empowered by law to keep the public funds—in such manner, and on such terms as they shall prescribe; and that the public treasure shall be so kept, free from all possible control, supervision or direction of the president. They hold, further, that congress may, in like manner, confide the keeping of the public treasure to any already existing officer of the government, prescribing the terms and manner of his custody, in such wise as shall leave him entirely free of any control or dictation of the president, in the discharge of the duty assigned to him.

6. That this meeting distinctly reprobate the reference of the president to the votes of individual senators who, he more than insinuates, were bound to have voted against the resolution of the senate, because, as he affirms, they had received instructions from the legislatures of their states. Such an insinuation implies an unwarrantable interference between the senators and their constituents, and virtually asserts the principle, that whatever encroachments they had witnessed by the executive upon the constitution, they were bound to be silent, or to approve them, and were not at liberty even to take the responsibility of representing what they believed to be the sentiments and opinions of the mass of the people in their own states, in opposition to the sentiments and opinions of their legislatures.

For all these reasons this meeting solemnly, heartily and most pointedly disapprove and reject the pretensions to power and prerogative set up and claimed by the protest of the president.

*Resolved*, further, as the opinion of this meeting, “that the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both.”

Further *resolved*, That this meeting look with inexpressible distrust and jealousy upon the protest of the president, as an attempt to avail himself of his hitherto wide and unexampled personal popularity to denounce and bring into public odium the senate of the U. States, because that body has had the firmness and the patriotism to stand between him and the accomplishment

of his will, and at the risk of popular rebuke, unjustly threatened against them by the president, to take a firm and decided position in defence of the constitution.

*Resolved*, That this meeting most cordially and gratefully sustain and applaud the senate for their gallant, patriotic and efficient resistance of the first assaults upon the free spirit of our institutions—and that we exhort them to persevere in the noble career before them, assuring them that they have the heart, the judgment and the moral force of the nation to vindicate and support them: that the great and glorious *whig* principles that worked out the revolution and gave political liberty and independence to this land, are again awake and will move forward with a steady and irresistible energy, until the constitution and its defenders are placed high above the reach of attack.

John F. L. McMahon, esq. then rose and supported the resolutions in a speech which the distinguished reputation he has so long enjoyed for the eloquence appropriate to the primary assertions of a free and intelligent people.

The resolutions were then put, and as announced by the venerable chairman, were carried by an overwhelming majority.

Joshua Jones, esq. (one of the late delegates to the general assembly), then expressed his sentiments in connection with the present important crisis, in a manner worthy of his constituents, and most honorable to himself.

He concluded by offering the following resolutions, which were seconded by Mr. McMahon, and adopted:

*Resolved*, That this meeting is of opinion that all of the citizens of Baltimore, and such of the citizens of Maryland, as can conveniently attend, who are opposed to the doctrines promulgated by the president of the United States, in his protest to the senate and appeal to the people, should assemble at an early day in this city, for the purpose of most maturely considering, and solemnly adopting such an answer or address, and resolutions as will make known to him and the world, their sentiments and unalterable determination, to redress by every lawful and necessary means, the usurpation and exercise of powers not delegated by the constitution and laws of our country—and the further purpose of forming a *state whig society*, in support of said constitution and laws—and to this end,

*Be it further resolved*, That a committee of sixty with power to increase their numbers, be appointed by the chair, with instructions and authority to prepare an answer to said protest, or appeal, and such resolutions as they may deem appropriate to be submitted to that meeting—to fix and give notice of the day and place for holding the same—to invite the attendance of distinguished *whigs* from all parts of the country, and especially of Maryland—to invite persons to deliver addresses on that occasion—to prepare fundamental rules for the government of a *state whig society*—and generally to make such arrangements for the accommodation and comfort of said meeting as they shall deem necessary or expedient.

[Here follow the names of the committee of sixty which it does not appear necessary for us to insert—and this committee being appointed, the meeting adjourned.]

#### LETTER FROM MR. CLAY.

Mr. Clay being invited to partake of a public dinner, at Norfolk, at such time as might best suit his convenience, declined the invitation in the following letter:

Washington, 28th March, 1834.

GENTLEMEN—I received the letter which, on the 5th inst. as a committee in behalf of the citizens of the borough of Norfolk you did me the honor to address to me, inviting me to a public dinner to be served up at such time as may be convenient to me. You have been pleased to accompany the invitation with many flattering and friendly sentiments towards me personally. I am, gentlemen, greatly obliged and deeply penetrated with gratitude, for the demonstrations of regard and attachment. Whilst I have never been indifferent to the opinion of my public conduct which any portion of our countrymen might form, I have been always particularly desirous so to acquit myself as to deserve the esteem of my native state, and that of the adopted residence. The assurances, therefore, contained in your letter, that an interest has always been felt in my public character by the people of Virginia, and particularly by that portion of them residing in Norfolk and its vicinity, afford me high satisfaction. On the two occasions to which you are pleased to refer, with approbation of the part I bore in them, the union itself was supposed to be exposed to danger; but I solemnly believe that neither civil liberty nor the union can long endure if the late usurpation of the executive of the United States over the public treasury, and the doctrines by which it is sustained, are sanctioned by the people.

The act of congress of 1789, establishing the treasury department, was framed upon the principle of providing four distinct, independent and responsible checks, (the secretary, comptroller, register and treasurer), whose concurrence was necessary before a single dollar could be drawn from the treasury. These officers were placed under the authority of the law, and in the discharge of their official duties were to be controlled by that authority only. It is now contended, in effect, that they are all bound to obey, not the law, according to their sense of its obligation, but the will of the president; and consequently he may command them, at his pleasure, whenever he thinks proper, to issue the last dollar from the public treasury. If this be true, it is clear that congress might as well at once have placed

the treasury in the sole custody of the president with liberty to use it as he pleases. The supposed security of four independent officers is totally destroyed; and their responsibility by impeachment is virtually abolished. For they cannot be amenable to the law and subject to the will of the president both, if there be any incompatibility between his will and the law. It is further contended, that the treasury department is a branch of the executive government, under the charge and direction of the president. Heretofore, the whole money power of the government has been supposed to be under the immediate and exclusive charge of congress. By the constitution, congress is expressly invested with powers to lay and collect taxes and to appropriate by law the public revenue; and it is also expressly invested with authority to pass all laws necessary and proper to carry into effect those powers. It was in virtue of these provisions of the constitution, that the treasury department was constructed, and that the secretary was brought into direct official intercourse with congress.

But the principle that the money power of government is in the hands of the legislature, is not confined to the federal government. Every state in the union proceeds upon the same principle. In nineteen states, the treasurer is appointed by the legislature, in four by elections of the people, and in the remaining state by the governor and council, themselves being chosen by their legislature. In all, the treasurer accounts directly to the legislature. In no one, is he under the control of the governor. These are the doctrines of America and of every really free country. For the first time, in the history of our government, they are now controverted, and others are advanced which tend to establish that union between the purse and the sword, with which the continuance of civil liberty is absolutely incompatible.

It remains to be seen whether they will be approved by the people. I am happy to find, gentlemen, that they obtain no support from you, and it would afford me very great pleasure to meet you on the festive occasion to which I am invited, and by a free interchange of sentiments with you, on public affairs, to acquire from you fresh strength and encouragement in the endeavor which is now making to sustain the constitution, the laws and the free institutions of our country. It is true, as suggested by you, that the restraints which existed some time ago, as to my accepting the compliment of a public dinner, no longer operate. And I feel too, that after a session of near four months duration, a relaxation of a few days could be beneficial to me. No where could I enjoy the pleasure of it, more than in your borough. But to the considerations arising out of my public duty in the senate, I have to add, that the delicate state of Mrs. Clay's health is such as to make me unwilling to leave her, for even a few days.

I regret, therefore, that I feel constrained to decline the honor which you have tendered to me. But I request you, and those for whom you act, to be assured that I shall ever cherish a grateful recollection of it. I am, gentlemen, with great respect, your friend and fellow citizen.

H. CLAY.

Messrs. Joseph H. Robertson, Francis Mallory, H. B. Gwathmey, S. Whitehead, H. Woodis, Edward Delany, Samuel D. Rawlins, Thos. G. Broughton, Louis J. Fourniquet, Alexander Clarke, D. Robertson, Vincent Lea, Arthur Emerson, John A. Chandler, Charles Reid, Caleb Bonsal, W. Butt, James H. Langhorn, John N. Walke, John P. Leigh, Richard Watson, Joseph T. Allyn, Marshall Parks, H. Pendleton.

#### POLISH EXILES—AT NEW YORK.

From the *New York American*.

The Polish exiles, who have come hither in the Austrian frigates, not only without their own consent, as it is understood, but protesting solemnly against being forcibly torn from Europe and thrown destitute upon a land of whose language they are ignorant, and where they will be without any means of existence, are entitled to the sympathy of this community.

These unfortunate men—as we learn from the writer of the annexed letter, one of their countrymen—were gathered together from different parts of Austria—passed from brigade to brigade, down to Trieste, and there, being each furnished with a great coat, a pair of trousers, and one or two other necessities, sent on board the frigates—and thus were brought away forcibly from Europe. They are each to receive here a sum of about \$22, there is one female, seven or eight officers, and the rest soldiers.

The first steps should be to provide these people with some clothing, and an asylum, so that they may not be obliged to prow about the streets, or be stripped of their little money by persons taking advantage of their ignorance of our language, &c. Then time might be taken for making ulterior arrangements.

Among these people are some who have been farmers; they may find employment, we presume, with our blacksmiths. The great mass, however, have only their stout arms to rely upon. Their ease, we are sure, will excite the sympathy of our citizens, to whom we commend the annexed appeal of Mr. Gerard.

To the editor of the *New York American*.

Sir—It is in the name of 240 Polish exiles, that I ask through your journal, the opportunity of making an appeal to your fellow citizens. Emboldened by the recollection of many kindnesses which Americans have lavished upon me, during the eighteen months that I have dwelt among them, I address myself to their hearts, in the full conviction that they will not be

insensible to that compassion, which constitutes now the whole dependence of my ill fated countrymen. May they in their turn experience the blessed fruits of that benevolence which has so much contributed to ameliorate my condition. Especially, may they be permitted to draw from that source, which the charities of the ladies of New York so abundantly supplies. Soon, then, would the wretched state of destitution in which they now are, be changed for one less discouraging—and on our part, we Poles, will know how to acknowledge the aid that shall be extended to our misfortunes.

I have the honor to be, sir, with the highest consideration, your devoted servant, GERARD, ancient polish officer.  
New York, 31st March, 1834.

On which the Austrian consul issued the following card:

As it appears from several articles published in the daily papers that the true nature of the transaction of the Polish passengers, in the frigates of his majesty the emperor of Austria, is not understood, the undersigned thinks that the following statements of facts will give every explanation on the subject. In the years of 1830 and 1831, during the last revolution in Poland, a number of those who had taken an active part in that revolution, took refuge on, or were driven into the Austrian territory, where the government not only received and granted them an asylum, but even generously maintained them. By far the greatest number of them expressing a wish to go to France, and others to avail themselves of the amnesty offered by his majesty the emperor of Russia, every facility was afforded them to execute these their purposes.

There remained, however, a number, who could not or would not return to their country, and could neither obtain passports for other countries of Europe, all of which were shut to them in consequence of sundry events well known. Under these circumstances his majesty the emperor of Austria offered them a free passage in national vessels to this country, which they accepted, and signed for that purpose their determination. On their landing here, after having paid the usual charges for passengers, the undersigned, by command of his imperial majesty paid each of them forty dollars, and all of them, on parting from the ships, manifested feelings of gratitude for the generous conduct of his majesty, and the good treatment on board of the two frigates.

It affords me great pleasure to hear testimony to their general good conduct, and having contributed all that I have been authorized to do by my government, it will afford me additional satisfaction to offer them all the advice in my power, and it is particularly gratifying to witness the generous feeling manifested by the inhabitants of this city, towards them, as I feel satisfied they are deserving of every friendly aid and assistance.

L. BARON LEDERER, consul general.

Austrian consulates, April 4, 1834.

The following reply has been made on behalf of the Polish exiles to the preceding statement.

It is but too well known in all Europe what reliance is to be placed upon the amnesties of monarchs in regard to the combatants for liberty; and particularly upon that of the Russian cabinet. In spite of repeated oaths, the regulators of the fate of nations, only do what their interest suggests. The amnesties of Modena, of Spain, of Naples, are but the first fruits which flow from the cornucopias of the paternal benevolence of the kings; and the petty rulers of the other hemisphere. The Polish patriots who have the weakness to trust to the emperor of Russia's forgetfulness of the past, are expiating their credulity in Siberia, in prisons, or in the regiments of the Muscovites.

We have in vain protested against our deportation, as contrary to the rights of nations; there remained to us no alternative but to return under the reign of the *know*, or to proceed to America. There were yet but two chances remaining: either to go the United States or to be conveyed to South America. After having endured a course of treatment a *Li Meternich* in the garrison of Bruan and Trieste, destitute of the means and of permission to proceed to France and England, we were constrained to make a virtue of necessity, and to become burdensome to the inhabitants of this free country. What could be more natural than what the Austrian consul has recently declared? He has resided so many years in this country as to forget the blessing of monarchical paternity; he is not acquainted with the frightful details of the last catastrophes in Europe; and he only does his duty in representing things according to the well calculated instructions of his court. Could he, with his hands on his heart, putting himself in our place, conscientiously say that he would have us follow any other course than that which has rendered us free from all persecution in this hospitable land, under the protection of that constitution which has been the guide of the Poles for half a century.

With respect to our treatment on board of the Austrian frigates, it was not of a nature to make a parade of it in the port of New York. We abstain both from praising and from blaming certain officers, for fear that the praise may turn to the injury of those who are worthy of it, and the blame to the profit of the inhuman. We are too deeply sensible of the solemnity of the holy alliance to be able to believe a single moment that the entire expenses of our deportation are not furnished at third hands from the proceeds of the confiscated es-

tates of the most zealous patriots of our unhappy country. In behalf of the Poles. ADALBERT KONARZEWSKI.  
Reed street, No. 34.

*The Poles in Switzerland.* The French papers contain some further particulars of the fate of the unfortunate Poles in Switzerland, which show their position to be truly deplorable. It appears that they are carted from one canton to the other without receiving admission or shelter in any. The canton of Vaud sent them to that of Berne, where they were not received. Friburg refused to let them pass through its territories, and throughout the federation the troops have been posted at the frontiers to repel these hapless and pestilent intruders. It appears that, in trying to remove them from the castle of Rolle, it had been found necessary to give orders to a body of gens d'armes to charge the 115 refugees in the mass with bayonet, but some humane persons interposed and saved them from this wholesale butchery. It is not known what is to become of them.

#### CAPE DE VERD ISLANDS.

A number of residents of the island of St. Jago, in their own name and in the name of all the inhabitants of the Cape de Verd Islands, have published a card of thanks to the generous citizens of the United States who contributed to their relief in the calamitous famine of 1832. We make a few extracts from it. The style is almost as flowery as that of a Chinese proclamation:

If benevolence, that purest emanation from the bosom of the Divinity, first of virtues, corner stone of universal morals, and bond of love which, encircling all beings, unites in brotherly affection the whole human family—if benevolence on the other side of the Atlantic, in the happy states of prosperous America, has recently displayed itself by an act worthy of the admiration of ages and the blessings of posterity to the latest day—let gratitude arise from among the barren rocks of burning Africa, wing its flight over the immensity of the ocean, and present itself before you, generous Americans.

Let not the expression of our gratitude be deemed too long delayed; it was suppressed by the heavy yoke which weighed upon us. A government which founded its authority of despotism, would not even permit us to address to you our grateful acknowledgments, and it, through an absurd policy or shameful neglect, it omitted to perform an act of such manifest obligation, it would have considered improper and unlawful any movement which did not proceed from its own omnipotent authority. Now the scene is changed; the legitimate government of her most faithful majesty the queen of Portugal and the constitution have been proclaimed in this archipelago. We are citizens, we enjoy freedom of expression, and as we can say of your immortal Franklin, "Eripuit cœle fulmen, sceptraque tyrannus," may we also say of you, you snatched a numerous people from the jaws of famine and death.

The promptness and greatness of your benefits are equalled only by the horrible extent of the evils they relieved. When your vessel arrived in this archipelago, laden with provisions, thousands of these unhappy islanders were shuddering in the grasp of death. Total destruction was the frightful destiny impending over them. It seemed as if the exterminating angel, closing the fountains of the heavens, had sent forth a burning blast and swept from the fields all traces of vegetation. To die was a vain recourse, for the universality of the evil had dried up the sources of public charity. The unhappy farmer fainting with hunger, roused by the clamorous cries of his starving children, goes to the fields to tear from the earth something to relieve them, but all his efforts are fruitless, he falls lifeless on the ungrateful soil, which he had moistened in vain with tears—the tender mother, turning away her dying eyes that she may not witness the expiring agonies of her infant babe, suppresses her last breath and yields up her spirit.

In this scene of horror, the frightful angel of death, exulting in his work, stalked over a vast cemetery heaped with dead bodies; while the guardian cherub of these islands, expanding his snowy wings, soared away to yonder regions to inspire in your breasts that pure benevolence with which you have so generously succoured this portion of the human family.

Yes, generous citizens, the gratitude we feel shall endure so long as there is memory in man—sooner shall the voracity of time destroy marbles and bronze, and the plough of the farmer trace its furrows in the soil on which all these monuments of human vanity now rest, than the remembrance of your benefits be effaced from the hearts of these islanders; and never more shall the knee be bent before the bright throne of the Almighty, in prayer for deliverance from such a scourge, without at the same time offering up ardent supplications for the happiness and prosperity of the country of Washington.

Island of St. Jago, Cape Verd, 24th Sept. 1833.

#### THE SOUTH EXPLORING EXPEDITION.

From the *Mercantile Advertiser and Advocate*.

Extract from the report of Dr. James Eight, naturalist to the late American exploring expedition of brigs *Scrapp* and *Annawan*.

After giving a description of a new crustacean animal found on the shores of the South Shetland islands, this talented naturalist remarks: "These islands are formed by an extensive cluster of rocks rising abruptly from the ocean to a considera-

ble height above its surface. Their true elevation cannot easily be determined, in consequence of the heavy masses of snow which lie over them, concealing them almost entirely from the sight. Some of them, however, rear their glistening summits to an altitude of about three thousand feet, and when the heavens are free from clouds, imprint a sharp and well defined outline upon the intense blueness of the sky; they are divided every where by straits and indented by deep bays or coves, many of which afford to vessels a comfortable shelter from the rude gales to which these high latitudes are subject. When the winds have ceased to blow and the ocean is at rest, nothing can exceed the beautiful clearness of the atmosphere in these elevated regions. The numerous furrows and ravines which every where impress the snowy acclivity of the hills, are distinctly visible for fifty or sixty miles; and the various sea fowl, resting upon the slight eminences and brought in straggling relief against the sky, oftentimes deceive the inexperienced eye of the mariner by having their puny dimensions magnified in size to those of the human form.

The ocean in the vicinity, as far as the eye has vision, is here and there studded with icebergs, varying in magnitude from a few feet to more than a mile in extent, and not unfrequently rising two hundred feet in the air, presenting every variety of form, from the snug white-washed cottage of the peasant, to the enormous architectural pile, containing either broadly expanded Grecian domes, or having the many lofty and finely attenuated spires of some gothic structure. The sun, even at midsummer, attains but a moderate altitude in these dreary regions, and when its horizontal beams illumine these masses of ice, their numerous angles and indentations catching the light as they move along, exhibit all the beautiful gradations of color from an emerald green to that of the finest blue. Some of them whose sloping sides will admit of their ascent, are tenanted by large assemblages of penguins, whose clattering noise may be heard on a still day at an incredible distance over the clear smooth surface of the sea. When the storms rage and the ocean rolls its mountain wave against their slippery sides, the scene is truly sublime. Tall columns of spray shooting up far above their tops, soon become dissipated in clouds of misty white; gradually descending, they envelope the whole mass for a short space of time, giving to it much the appearance of being covered with a veil of silvery gauze. When thus agitated they not unfrequently explode with a noise of thunder, scattering their fragments far and wide over the surrounding surface of the deep. These hills of ice are borne onwards at a considerable rate, by the power of the winds and waves—when so, they sweep along with a majesty that nothing else can equal. The sun, as it rises or sets slowly and obliquely in the northern horizon, sends its rays through the many openings between, tinging them here and there with every variety of hue and color; from whence they are thrown, in mild and beautiful reflections, upon the extensive fields of snow which lie piled on the surrounding hills, giving to the whole scene, for a greater part of the long summer day, the ever varying effect of a most gorgeous sunset.

Entire skeletons of the whale, fifty or sixty feet in length, are not unfrequently found in elevated situations, along the shores of the South Shetland isles, many feet above the high water line. Whales are very common in their vicinity, and in calm weather great numbers of them may be seen breaking the surface of the ocean in the many intervals which occur between their numerous icebergs, sometimes sending forth volumes of spray; at others, elevating their huge flukes in the air, to descend, head first, as it were, to fathom the ocean's depth. When they perish, either from accident or some more natural cause, their carcasses, in drifting towards the shore, are overtaken by the billows and thrown thus far upon the land; here they are left by the retiring wave, and in a few hours their bones become perfectly denuded by the numberless sea birds that feed upon the flesh.

Our stay at these islands occupied a period of four weeks, during which time we observed but one ebb and flow of the tide in twenty-four hours. I know not if this be universal, but have been informed by mariners familiar in these seas, that they have generally found it so.

Not a day occurred that snow did not fall, or ice make on our decks; and during the time we spent in exploring, between the latitudes of 60 and 70 degrees south, and 54 and 110 degrees west longitude, which was more than two months, we found the current often setting with considerable velocity from the south west to the north east. The prevailing winds were also most commonly from the south west and north west. There were evidences of a number of active volcanoes in the vicinity of the South Shetland isles; indications were daily seen in the pieces of pumice found strewn along the beach, which, no doubt, comes from Palmer's Land, situated to the south; Deception island, also one of this group, has boiling springs, and a whitish substance like melted felspar, exudes from some of its fissures.

After enumerating the amphibious animals, this able naturalist observes—"There is also a fourth species, which I have no recollection of ever having seen the slightest notice of. It is probably not common, as I saw but one; it was standing on the extremities of its fore feet (dippers) the head and chest perfectly erect, abdomen curved, and resting on the ground; the tail was also in an upright position; the animal in this attitude bore a striking resemblance to the representations we frequently meet with of the 'mermaid,' and I think it was undoubtedly one of the animals of this genus that first gave origin to the

fable of the maid of the sea. I regret that I could not obtain a nearer view of this interesting animal. When I approached within one hundred feet, it threw itself flat and made rapidly for the sea; it appeared about twelve or fifteen feet in length, and distinctly more slender in proportion than any of the other species; so much so, that the motion of the body when moving, seemed perfectly undulating. Some of the seamen had seen them frequently on a former voyage, but they were too much on their guard and alert to be taken." When speaking of the fishes inhabiting this ocean, he says—"Grampus and dolphins are quite common, and a species of porpoise which I had not before seen, occurs in great numbers. From their appearance in the water, their color seemed dark, with a broad and somewhat wavy white line extending from the posterior and inferior part of the head, backward and upward to the dorsal fin; a second and similar one commences on the abdomen immediately below the termination of the first, and ends at the origin of the tail above; these marks are distinctly visible as they glide through the sea. They are by the sailors called sea skunks, and I am told they are confined to high southern latitudes.

The birds which frequent these islands are much more numerous than any of the other classes of animals. Of penguins there are five species. The *aptenodytes patagonica*, (king penguin), is the largest and by far the most beautiful of the species, and may be seen in great numbers covering the shores for some considerable extent. They are remarkably clean in their appearance; not a speck of any kind is suffered for a moment to sully the pure whiteness or the principal part of their plumage; their upright position, uniform cleanliness, and beautiful golden yellow cravat, contrasts finely with the dark background by which they are relieved, so that the similitude is no unapt one, which compares them to a regiment of soldiers immediately after parade. The females lay but one egg, on the bare ground, which is rather larger than that of a goose, and of about equal value as an article of food. The egg lies between the feet, the tail being sufficiently long to conceal it effectually from the sight. When approached, they move from you with a waddling gait, rolling it along on the surface of the ground, so that a person not acquainted with the fact might pass through hundreds of them without discovering it.

The *chinois forsteri*, (sheath bill.) This is the white pigeon so often mentioned by mariners as inhabiting the islands of the southern ocean; it is easily caught by the hand, and soon becomes domesticated. We kept a number of them several days after leaving the islands; they ran about the decks apparently without any disposition to leave them, feeding from the hand of any individual that offered them food.

The existence of a southern continent within the Antarctic circle is, I conceive, a matter of doubt and uncertainty; but that there are extensive groups or chains of islands yet unknown, I think we have many indications to prove, and were I to express an opinion, I would say, that our course from the south Shetlands to the south west, until we reached the 101st degree of west longitude, was at no great distance along the northern shores of one of these chains.

The heavy clouds of mist which encircled us so often, could arise from no other cause than that of the influence of large quantities of snow or ice on the temperature of the atmosphere; the hills of floating ice we encountered, could not form elsewhere than at the land. The drifting fuci we daily saw, grow only in the vicinity of rocky shores, and the penguins and terns that were almost at all times about us, from my observation of their habits, I am satisfied, never leave the land at any great distance—the current and prevailing winds continually bearing the plants and ice along in its course towards the north east, some of the latter embracing fragments of a rock of a kind, the existence of which we could discover no where on the islands we visited.

When Palmer's land becomes properly explored, together with the known islands, I think they will prove to be an extensive chain, stretching out to near where captain Cook's progress was arrested by the firm fields of ice, in lat. 71 deg. 10 min. south and west longitude about 105 degrees. Had that skillful navigator succeeded in penetrating this mass of ice, he would unquestionably in a short time have made the land to which it was formed. Captain Weddel, after passing the icy barrier to the east of the south Shetlands and Palmer's land, succeeded in reaching the 74 deg. 15 min. south, (the highest latitude ever attained by man), and found in crossing this chain and progressing towards the south, that the sea became more free of ice, and the weather almost as mild as summer, evidently proving I think that the south pole can be nearly approached, without incurring any great degree of hazard in the attempt. But for further information on the practicability of reaching the south pole, I must refer to the judicious remarks in Faunnie's voyages, page 472, with which I perfectly coincide. To conclude, in a powerful and advancing nation like the United States, with a population whose daring enterprise has already carried our flag into the remotest corners of the globe, will not the just liberality of congress, authorise a discovery and exploring expedition to these parts of our globe. They might thus settle this interesting question, and also determine with certainty the situation, magnitude and extent of these lands, and by that means open a new source of revenue, and riches to our country in the oil, fur, animals, &c. which must necessarily exist in these southern regions.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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An extra half sheet, or eight pages, as supplementary to the last number of the REGISTER, accompanies the present—to dispose of some interesting articles which had accumulated in type. We would gladly repeat this operation frequently—(though without a hope of keeping pace with the new productions of matter), for these are times that will be earnestly referred to, a little while hence. Without a misuse of the worn-out catch-word of the "Richmond Enquirer," we are on the borders of an important "crisis."

It will be seen that the senate has refused to register the president's protest, 27 to 16. It is again reported that there will be an appeal to the people, as has several times before been mentioned.

We present the message of the president renominating Messrs. Wager and others, as directors of the bank of the United States, with the report of the senate's committee of finance thereon, and some extracts from the "executive journal" concerning these nominations, with the yeas and nays, &c.

It will not fail to strike the attention of the reader, that the message commences with disclaiming all pretension, or right, to call in question the reasons of the senate for rejecting nominations—while the chief part of it is made up of suggestions of reasons which may have influenced the senate, and of arguments upon those suggested reasons as though they were established facts. Such is our reading of this paper.

The report, or reply, of the committee of finance, written in a dignified mildness of language, is exceedingly severe in its remarks on the suggestions or "presumptions" of the president, and in its refusal to make up an argument with him.

It will be observed, that, having suggested certain reasons which may have influenced the senate in rejecting the nominations, and presuming upon them, the president plainly intimates that he will not nominate any other directors. The senate absolutely refused, as they ought, to plead to the suggested reasons, and the "Globe" of Saturday last says—

"The report of the committee of the senate does not place the rejection on the conduct of the directors in making their communications to the president; on the contrary, it leaves it to be inferred that they may have been rejected on other grounds; and under such circumstances, we presume other directors will be nominated, as soon as a proper selection can be made. It is much to be feared, however, that there will be difficulty in obtaining the services of any citizen, while it is left in doubt whether the senate will not reject them, if they initiate the conduct of the late directors, in reporting, from time to time, such abuses as may come to their knowledge."

[The preceding is a very ingenious paragraph!]

The subject, in general, invites many remarks—but we shall not make them. The president has no more to do with the reasons of the senate for rejecting nominations, than the senate has to do with the reasons of the president for making them; either party is altogether independent of the other, in this respect—and, we hope, will always remain so.\*

\*The following rather queer remarks on this subject, appear in the "Richmond Enquirer" of the 6th inst. We have italicized certain of its parts—which "looks rebellion."

We give up a large portion of our paper to the message of the president, and the report of the committee upon the renomination of the public directors, to the senate of the U. S. The first bears date on the 11th March—and the second is made only on the 2d May. It is strange that the senate should have left this matter sleep nearly two months.

We hold the perfect right of the senate to reject, at their pleasure, any nomination which may be made by the president, without assigning reasons for their conduct. We also admit the right of the president to renominate the same individuals, upon assigning new reasons; but without criticising the course of the senate. In this respect, the senate owes no responsibility to any quarter, but in their own consciences and to their constituents.

In a subsequent page there is a brief sketch of a debate in the French chamber of deputies, on the appropriation to carry into effect the treaty of indemnification with the United States, which has been refused by a majority of eight. This is bad news.

Our means are so small compared with the requisitions made upon them, that we hardly know what to promise, or hold out the expectation of performing—as to the insertion of articles: but there are several speeches on the late protest of the president against the proceedings of the senate, however, that we have a strong desire to make room for—*pro and con*.

We publish, in a subsequent page, a recent and comparative statement of the affairs of the bank of the United States. The solvency of this institution was "questioned" not long ago, by profligate or ignorant persons! Look at the mighty means of the bank! The coin which it holds, and the debts that are due to it by the state banks and in Europe, are about the same in amount as its whole circulation; and if all the state banks, (the deposit banks not excepted), are not at the mercy of the U. S. bank, it has power to forbid the making of new discounts by them—for, if the directors pleased, they might, by liberal issues of their own notes, at any point desired, (if not already possessed of ample means), gather in a sufficient quantity of the notes of the state banks to cast them down, as rows of bricks are prostrated by idle boys in play—each thumping against its "next door neighbor" until the whole tier is laid flat!

A part of the increased specie has been drawn from abroad—but another considerable part has been derived from the confidence of the people in the solvency of this bank, and the intelligence with which its concerns are managed. The labor of its tellers is greatly increased by receipts of specie in exchange for its notes, or in accommodating individuals with such notes in exchange for those of local banks. We know of several cases in which agents and factors are particularly instructed to bring home or transmit the proceeds of articles committed to their charge, either in specie or bills of the bank of the United States; and a worthy and well informed gentleman has just observed, that, on the eastern shore of Maryland, for an example, the proportion of U. S. bills in circulation seems ten times larger than ever it was heretofore. Such proceedings are exceedingly detrimental to the state banks, for they severely embarrass and restrict the ordinary operations of some of the soundest and best managed of them—but the bank of the U. S. has no other instrumentality in bringing them about than naturally flows from an undoubted confidence in its ability to meet its engagements, in any emergency—though the hostility of "the government" be superadded to the "pressure" of the times!

At the beginning of the war "at the knife's point and the knife to the hilt" (as a certain distinguished legislator has beautifully described the manner in which he

The senate may have erred, and it is highly probable that they have erred, in the motives which have actuated them to reject the government directors. But the president has committed an error in discussing the motives which might have actuated them—and upon putting on an hypothesis, his own duty of nominating to the senate, officers whose appointment is called for by the laws of the land. We are pleased to learn from the Globe, that the president is about to nominate other directors to the senate. The president puts it upon the ground, that the senate have not avowed their rejection of the former directors, because they had communicated the transactions of the bank to him—therefore, as they have not maintained this principle, he will nominate others. We have not had time to look at the proceedings of the congress which framed the bank charter, for the purpose of seeing whether this function of reporting to the executive by the government directors was contemplated at the time.

would fight), the bank was spoken of as a "reptile to be crushed at will, under the feet of the secretary of the treasury,"—and so fools believed, and silly ones rejoiced at it, for they knew no better, being entirely ignorant of the real state of the bank, as well as of the nature of currency—and inflated, also, like frogs croaking on the borders of a muddy pool, with delicious ideas of their own importance, and the power of their own "sweet voices" to perform a requiem over the bank. But their croakings only made common-sense people laugh—if not compelled to grieve at the evils which ignorance and vanity had inflicted—for the "reptile" would not be crushed! What was next to be done? The whole flock then "jumped over the fence," and, instead of "glorifying" over the weakness of the bank, they abused it for its strength, and simultaneously shouted "monster," "monster," "monster!" And they had the effrontery—though they said, years before, that the bank ought to commence a retirement of its business—to criminate the institution for withholding new discounts! Precious consistency—"glorious" demonstration of the love of truth! But that story, as we said not long ago, was soon kicked out of every decent company, by the simple shewing of the bank that it had not reduced the line of its discounts to the extent to which the line of its deposits had been reduced—though, if the bank must die at the expiration of its charter, impudence itself should not have blamed it for restraining its discounts. It is a common saying, and too often seems a true one, that "corporations have no souls;" but, in this instance, the bank of the United States has shewn us that it has one, or that a sense of its own interest, to prevent a general bankruptcy of dealing men, has acted in the place of a "soul;" and it is well, indeed, that the bank is not "THE MONSTER" which it has been so loudly and angrily proclaimed; that certain considerations which enter not into the minds of its enemies, which have no home in their bosoms, induce it to restrain its power to do that harm to others which others designed to render against itself, and would still exert, if they could! We do not envy these men the secret thoughts of their own hearts—the compunctious visitations of their own consciences!—for we presume that even —, must "know himself" sufficiently well to feel that he is a contemptible night-produced "toad stool," and a miserable and filthy and pestiferous thing.

In the present state of affairs, we could not advise the directors of the bank (if our humble opinion were asked), to extend their circulation—yet we regret to observe that it is rapidly diminishing. Every hundred dollars of its notes withdrawn, probably contracts the general circulation at least 400 dollars (for its notes are better than specie), and the value of money is too rapidly appreciated, and so it must go on. But what can the bank do? Can it be asked, at this season of peril, to extend its business? Certainly not. It stands, and must stand, "like a strong man armed," between a sound currency and a circulation of rag-money—and if the latter prevails, as many well-judging persons fear that it must, the interests of the bank itself will be exceedingly injured. Here are the horns of the dilemma!—If the bank increases its circulation, it endangers itself, and will be also grossly abused for doing so, because of the near approach of the expiration of its charter—if it retires its circulation, (which the people prefer to coin), it drains the coin out of the state banks, and, to four times the amount of such drains, reduces their discounts or accommodations to the public! Hence the paralysis in business of all sorts, which, in our opinion, has only just commenced. There are peculiar circumstances which must urge it onward. A part of the public debt, (of insignificant amount, in past times, but now a weighty concern), is to be paid—and certain arrangements entered into at New York, and, perhaps, other places, to relieve the pressure on business-men, have passed the period for which they were entered into. We hope that they may be renewed. The necessity of relief is every day more and more apparent. Distress gathers force as it proceeds. And the deposit banks cannot long render the relief that was expected of them, *through the use of the public deposits*—for, if the ordinary amount of moneys be appropriated, "the government" will not have a "surplus," at the end of a few months.

The patriotic idea of breaking or "crushing" the bank of the United States, has been abandoned! It may die a natural death, but all the power of "the government" cannot kill it before its time! And, though the bank cannot be killed, it may prostrate its tens of thousands of the people, and must, in self defence, unless the hostile proceedings against it are suspended, if not retraced—whether the charter shall be renewed in a modified form, or the idea of continuing a national bank be altogether thrown aside.

In the present state of the business and currency of the United States, the notion of a sudden reversion to a metallic medium, is worthy only the mind of a straight-waistcoated maniac. It is impossible, unless in the almost universal ruin of all who do not hold public offices, and feed at the public crib. These might fatten on the agonies of honest men, if paid in coin, or its equivalent, as they are now. It is the part of every honest man to wish the preservation of a sound currency; and we fearlessly assert that we have the best currency in the world, in the bills of the bank of the United States, being undeniably better than hard dollars, because of the reduced risk in keeping, or cost of transporting moneys from place to place.\*

The bank has a mighty power. It has the strength of a giant—but does not exert it. The state banks stand in the relation of rivals to it, being engaged in the same business; but where is the state bank that asks the abolition of a bank of the United States? What possible better evidence of the good conduct of the bank can be offered, than in the imposing fact suggested—the almost universal testimony of intelligent men, who know and feel that the bank of the United States, instead of being a "monster," with the will to cripple and destroy the state institutions, is always ready, and never has refused, to sustain such of them as had just claims to a liberal support. If it be said that such is the interest of the bank, (as we believe that it is), so much the better! The strongest guard against the doing of wrong, is to make it a person's interest to do right.

The power of the bank has been as well derived from the intelligent and prudent administration of its concerns, as from the ignorance and vanity of those who would have "crushed" it. It was as though a parcel of children, putting to sea on a float of loose boards, and armed with elder-bush pop-guns, charged with *chewed paper*, had made an attack upon, and demanded the surrender of, the CONSTITUTION frigate—when commanded by a *Hull, Bainbridge or Stewart*, and manned by 500 Americans whose "home is on the deep!" And then, though the precaution of even closing the ports of the frigate should not be made—though not a single swivel, charged with grains of sand only, should be fired by her—who would not laugh when they heard her called a "monster," for the simple reason that she would not haul down the stripes and stars at the bidding of such an enemy? But this is not all—the ripples of the water against her "iron sides" shakes into pieces the floats of boards, and her boats are hoisted out to save the *young ones* who would have sunk her—if they could!†

In the preceding part of this article, it is mentioned that large amounts of specie were deposited in the bank of the United States, to obtain its notes. We learn, however, that, in many cases, such exchange is refused by the bank—and for these reasons, that the bank generally prefers its own notes to specie—having an ample sufficiency of the latter, and not knowing to what foul purposes the

\*We have some truly laughable accounts of the *cozenings* of some of the "petish credit" members of congress, to obtain bills of the bank of the United States in exchange for those which are paid them in Washington. *Are these men honest?* How modest is it in them, to recommend to others that which they will not take themselves! They talk about a "metallic currency," and yet beg for accommodations from the office of the bank of the United States. Let them send or carry home, the bills of the bank of the Metropolis!

†The bank has comparatively increased the amount of its accommodations—and, with all the disposition that prevails to misrepresent and distort the proceedings of its directors, has a single instance of oppression been preferred and sustained against them? The demands on other banks have been moderately urged, and in many instances postponed; and in cases of emergency the coin and credit of this bank have been freely tendered to state banks.

former may be appropriated by malignant persons; and it often happens that from one to two per cent. in coin, is offered as a premium for notes of this bank, and refused. This is the natural result of the war that prevails against the institution—a war of “the government” against seven millions of the people’s own money vested in the capital of the bank! And besides, it is rather the interest of the bank to import specie at the present rates of exchange, than to gather it from the vaults of the local banks, unless in necessary settlement of balances due.

The imbecility of those who made war upon the bank had two leading causes—first, the veto of the president on the bill for rechartering the bank, was a war against both houses of congress—and the removal of the deposites as well a war against the common sense of mankind, as against the house of representatives, which had, at the last session, by a vote of 109 to 46, declared the public money safe in this institution; and now, perhaps, there is hardly one man in a hundred who can “read, rite and sipher to the rule of three,” being engaged in any sort of business, that, in the secret of his own heart, regards the removal of the deposites as a wise or proper proceeding on the part of the president. It is almost universally reprobated by the thinking men, though party will not permit some to confess it, openly. The people then, who had power over this subject, were not on the side of “the government,” and the imbecility of the latter is shewn in the manner stated above. The moral force of the country is in opposition to the will of the president, to say nothing of the sacrifices of property and of comfort which his measures have already caused.

We shall make another remark, and conclude, intending to refer to the fact more fully at a future day. The bank is complained of as a “monopoly,” &c. But what was the origin of this bank? Was it the contrivance of capitalists, or a project of the government, to redeem the republic of a disordered currency and re-establish public and private credit? *It was the latter!* And if the present bank shall be destroyed, the same causes will produce the same effects, and we shall have another bank! But why not profit by past experience? Must we be repeatedly “brayed in a mortar” to maintain vivid recollections of pains endured?

The reports that difficulties have occurred between the committee of the house of representatives, (sent to Philadelphia, to investigate the affairs of the bank of the United States), and the president and directors of that institution, have been continued—and, indeed, the return of the committee seems to have been daily expected; but things have not yet proceeded to that extremity.

We gather from these reports, [how far they are true we pretend not to form an opinion], that the committee had claimed not only the private possession of the books of the bank, as stated in our last, but copies of all letters “on any subject in any way connected with the bank, or the public deposites, or private affairs, which the officers of the bank may have received from members of congress, within the last two years”—of course, this demand was refused: for, as the “National Intelligencer” well observes, “So jealous were the people of this country, in reference to this matter, that a provision was introduced into the constitution of the United States, expressly securing the right of the people to be secure in their papers, effects, &c. against unreasonable searches and seizures.” What can be more unreasonable than the general seizure of the correspondence of the members of congress, *without warrant*, by the assumed authority of a committee of congress? And besides, the whole power of congress is contained in the following clause of the charter of the bank—“That it shall, at all times, be lawful for a committee of either house of congress, appointed for that purpose, to inspect the books, and to examine into the proceedings of the corporation hereby created, and to report whether the provisions of this charter have been, by the same, violated or not.” *This is the whole power.*

There is no possible right in the committee to make either of the demands stated, and there would be a gross impropriety in listening to either of them. They are claims that could not be made on the part of a portion even of the directors of any bank, unless under a special order of the board, in some particular emergency. We

must needs think that the committee well knew that such claims would not, and could not, be honored—and that the effect of a refusal of them was *calculated*. We understand that a long correspondence has taken place on these subjects. There is a plain and acknowledged and *legal* remedy in “the government,” provided by the charter, to ascertain whether the charter has been violated or not—by a writ of *scire facias*. This is indeed the only remedy provided—if resorted to, the bank will promptly plead to it; but dares not encourage such an espionage as is now for the first time attempted in the United States.

We have yet another “explosion”—as follows:

MARYLAND SAVINGS INSTITUTION,

May 6th, 1834.

The board of directors deem it advisable, under existing circumstances, to suspend the operations of this institution, as relates to the receipt and payment of deposites for the present—and until further notice.

The stockholders are invited to attend a meeting at Scott’s long room, in South street, on Thursday next, at four o’clock in the afternoon, to consider and decide on the course to be pursued in settling the affairs of the institution.\* The holders of certificates of special deposites are informed, that they will be received in payment of debts due the institution—and all moneys deposited or left in charge of the institution *this day*, will be returned to those entitled. All notes deposited for collection, by persons not indebted to the institution, will be delivered to the depositors.

It is believed by the board of directors, that in deciding on the present suspension, they have adopted a measure which will tend to secure full payment of all the deposites in the institution. By order of the board,

J. HUTCHINS, *treasurer*.

This institution was a large depository of the moneys, or savings, of the productive classes, and its operations were extensive. If we except the bank of Maryland, (which failed sometime ago), there neither was, nor is, in this city, any corporate body which could have [directly] borne so heavily on the industrious and hard-working and economical citizens of Baltimore. A doubt has, for several weeks, existed as to its ability to meet its engagements; and a great sum has been drawn from it, in consequence of that doubt: but a greater sum remains that could not be promptly drawn, *notice* of the intention to withdraw being required, and we see the result as above stated. It is believed that the institution may pay all its debts in a reasonable time, if able to make reasonable collections of those which are due to it, and leave something for the stockholders; for, at the last settlement of its affairs, there was a large apparent sum in surplus profits. We have not, however, any particular knowledge of the condition of this establishment.

A great crowd collected about the building on Wednesday morning, and a deep feeling of distress was manifested, especially on the part of several females; but the people conducted themselves in an orderly manner, and if any had a disposition to create a riot, it was restrained for the want of co-operating spirits.

In a community so pressed down as that of this city, every event of this sort adds a ten-fold pressure to the *real* amount of the difficulty itself by diminishing public confidence—for thousands of false reports are put afloat, though there are *enough* of bad ones in circulation that are true—and the end of these things is not near at hand! No man can calculate the ending of them. There is not a single ray of light to guide us through the gloom that encompasses us. We have only to fear the *what next?*

Several gentlemen have requested us to publish and preserve lists of the presidents and directors of the several corporations that have failed in this city, that they may be easily referred to; and also suggested, that certain close

\*The meeting was held, and a general statement of the affairs of the institution has been published. In the use of gross sums, it shews a balanced account—the responsibilities and apparent means being each \$695,082 80—but nothing is stated by which the validity of the means may be tested, nor is any opinion expressed of the solvency of the establishment. The subject has been referred to an excellent committee of five persons, who are expected to make a report on or before the 19th inst.

investigations should be commenced by us, as in times past, when at war with the "rag-barons," &c. The object of the former as we understand it, is in the way of reproof, that some worthy men should have permitted the use of their names to sanction proceedings that have turned out so calamitous. It is a great misfortune, that such persons have so acted—for so it is, in many cases, that they were as ignorant of the real state of the institutions to which they were attached, as of things happening in Kamschiatska—seldom meeting, and then as if only to make up a board! But they ought to be held responsible to the public, in one way or another.

The general subject, however, is one that, on account of its locality, we are indisposed to meddle with—for our local circulation is very limited; and, as we never have, we do not choose now, to lumber our pages with local affairs.\* And withal, injustice might be rendered to some individuals: for monetary negotiations which appeared highly prudent and proper before "the fell experiment" began, and when cash counted credit—would now seem to have been the result of insane calculations of means. The people are not always willing to make rightful allowances for altered circumstances—and yet it is these which determine some of the most important events of our lives. Principles do not change; but the practice on principles is at all times subject to various mutations. Who that made an engagement in September last to pay money in May, present, and thought himself acting wisely—does not regret the proceeding, if of a nature that it might have been avoided at the time! One thousand dollars in ready money now, seems worth more than 1,500 dollars were worth then—and is certainly harder to get the possession of. Still we believe that there has been much excessively imprudent conduct, (if not fraudulent intention), in some of the persons connected with these bankrupted institutions.

The glory of "the experiment" is more and more manifest every day. In our last paper we published an account of the cotton spindles which had been stopped in the neighborhood of Providence, R. I. being 70,400—we have now to add the following, from the "Providence Journal."

Albion, (more than stated),.....	2,100
Edward Walcott,.....	3,500
George Wilkinson,.....	2,000
J. F. Walcott,.....	2,000
J. Burbank,.....	1,700
John Gardener,.....	2,500
John Slater, (Jewitt city),.....	1,500
	15,300
Number before stated,.....	70,400
Additional,.....	15,300
Total, at this time	85,700

One of the letter writers from Washington states a curious circumstance which happened in the house of representatives on the 2d inst. as follows: Mr. Chilton—having the floor on the resolution of Mr. Jarvis for inquiring into the condition of the District banks—made good his statement, that he had an important fact to communicate respecting the *pet* there, the bank of the Metropolis, and said that the bank had violated its charter, by the issue of one dollar bills, "with the connivance and sanction of the government."

"This is no statement, (says the account), unsustained by proof, for Mr. C. exhibited the proof, read the note in his place in the house, and on its face it purported to have the usual vignette—bank of the Metropolis, selected depository of the government—and was endorsed Washington, 6th November, 1833, pay one dollar to S. Potter, agent of the treasury department, and afterwards payable to F. P. Blair, editor of the Globe, the official paper; through whose hands it came with others, and was so endorsed, &c. &c.!!! Mr. C. then placed in *juxta position*, the clause by which the charter of the bank was declared to be violated, if it should issue any note or bill of a less denomination than five dollars. The bane and antidote were both before them."

\*This work owes but little to Baltimore for its support. For one dollar received of its citizens, the editor has brought from distant places thirty or forty dollars to be expended among them. It is therefore manifest that he cannot go into a special examination of things that are local in their nature, and would involve, perhaps, an occupancy of the chief part of his pages, which more belong to the people of several of the states, than to those of Maryland, including the city of Baltimore.

There are several other matters preferred against this bank—and it seems probable that the fact shewn by Mr. Chilton will lead to an investigation of its affairs, which it seemed resolved should not be made: it being denied in the house that congress had power to examine even into the solvency of the bank of the Metropolis, though a place of deposit of the public money!

The following from a late London paper, will not fail to claim the serious attention of thinking persons. It is true to the letter, except that the party which has power to relieve the misery of the people, is engaged in an "experiment," and will not.

The unparalleled embarrassments amongst the commercial classes of the United States, have produced a great stagnation in the trade between this country and that recently flourishing republic. The numerous failures which have occurred in New York, Philadelphia, Baltimore, and the other cities of the union, have been felt both directly and indirectly in England. Directly in their effect on individual firms, and indirectly in their effect on the general state of credit. There is, of course, a great indispotion on this side of the Atlantic to risk goods, or to enter into commercial transactions at present, in a country in which undoubted solvency and unblemished integrity are no securities against embarrassment and ruin, and the commercial classes on the other side find too much difficulty in meeting their engagements in the present disordered state of trade and suspension of credit, to have either disposition or ability to extend their concerns.

Thus the prospects of a vast and profitable trade with the United States, which only a few months since seemed so bright, have been clouded, and it is impossible to tell when the cloud shall pass away. A rancorous spirit of party seems to have destroyed every thing like reasonableness in the government. Under these circumstances, the close and intimate connection between the American republic and the British empire, compels us to endure a considerable share of the inconvenience resulting from the embarrassments of our trans-atlantic friends and customers. The exports of iron, woolen goods, cutlery, hosiery, and we have no doubt of all other articles, have received a severe check, from which they will not recover until the Americans and their government recover their senses. When that will be it is impossible to guess, for up to the latest accounts, the exasperation of all parties seem only to be increased by the increasing misery of every class of the people. Each party lays the blame on the other, and none does any thing to restore public or private confidence.

Mr. Schott, president of the Girard bank, at Philadelphia, has officially notified the stockholders that the contract with the United States, for the receipt of the public deposits, will "cease and determine" on the 1st July next.

It is mentioned that Mr. Rush has resigned his clerkship to the committee examining the affairs of the bank, with a view to his nomination as a "government director" of that institution.

Two manufacturers of buttons, in Easthampton, Mass. have recently discharged more than fifteen hundred working people—because of the want of demand for their products, in the want of money or credit to purchase them. The discharged are chiefly females.

United States bank stock at New York, May 3—107½.

The packet ship Ontario has arrived at New York from London, with 350,000 dollars in specie.

The business at the gold mines of Georgia is said to be very profitable just now, and that it will yield an interest of 15 or 20 per cent. profit on the labor and capital employed last year. An Irishman named Thomas C. Bowen had withheld a deposit of 14,955 dwts. of gold for the bank of Darien, and eloped with the property. A teller in the Mechanics and Traders' bank of New Orleans, has also removed several thousand dollars of the deposits, without assigning any "reasons" for so doing.

The Jackson party has succeeded in the election of constables in the district of Southwark, (Philadelphia), by a larger majority than usual; and also in the election of mayor, &c. in the new city of Brooklyn, (opposite New York), by a smaller majority than usual; but has been defeated in every ward of the city of Albany, and by an aggregate majority of 475 votes. So also at Catskill, which, in 1821, gave a large Jackson majority.

The borough of Reading, Pennsylvania, hitherto one of the strongest holds of the administration, has elected anti-Jackson officers. Such a result does not appear to have been expected by one party, and was unhopd for by the other.

The committee of the five first wards of the city of Baltimore, charged with a certain "instruction" to Mr. McKim, have made a very able and elaborate report on the subject—which shall be noticed when like returns from Anne Arundel county are received.

A large "Jackson Republican" meeting was held in Monument Square, Baltimore, on Wednesday evening last. As we have published the resolutions passed at the other meeting, we shall give those passed at this.

A memorial was lately offered in the senate, by Mr. McKean, from certain "democratic-republican-Jackson-Wolf-citizens" of Pennsylvania.

The "New York Courier" says that of 85 persons appointed to make arrangements for the reception of the newly elected mayor, more than forty are office-holders.

A lively report has prevailed that gov. Tazewell, of Virginia, will speedily convene the new legislature, because of the present state of public affairs. Such a proceeding might have a powerful effect in these perilous times; but the season is exceedingly inconvenient to the members, and the expense not to be disregarded, unless the necessity shall become manifest.

There is a majority in every county of Mr. Stevenson's district, in Virginia, against his political course, and the entire vote not less than two to one against the administration. Mr. Loyall's district shews more than two to one against his votes in the house of representatives of the United States.

We may insert some amusing paragraphs, in the way of prophecies concerning the late elections in Virginia, or as attempts to soften down the result—which, it is distinctly stated, shews a majority of at least twenty-five against the administration. It is supposed that this number will be much increased, when the legislature meets, in consequence of the "protest."

Several of the newspapers are wickedly republishing Mr. Benton's famous speech of May 4, 1826, on executive powers, patronage, privileges, &c. It is really an amusing article—an "entire" reform one; and we invite our numerous friends who preserve files of the REGISTER, to refer to vol. 36 page 292, that they may have a hearty and long laugh; and, in times like these, every man who causes a laugh should be regarded a "public benefactor!"

The New York Standard thinks it a small matter that 114,918 names are signed to petitions praying for a restoration of the deposits, and only 8,751 against the restoration. What is 115,000 to the 13,000,000 inhabitants of the United States? But are not these thirteen millions subject to some small considerations? In the first place, about three millions on account of persons of color—then a few millions for women and children—then other millions for persons who have had no opportunity to sign a memorial, and then a large number for aliens and paupers, and others, who have no right to sign.

The publication of the *New York Standard* has ceased. It was one of the most earnest supporters of the administration in the United States. The "New York Evening Post" now stands alone in that city, and is much disposed to run down Mr. Swartwout, the collector of the port, and certain others of the custom house-officers—saying that there are offences of a "political nature that should have been enquired into."

Mr. Foot has left his seat in congress to enter upon the duties of governor of Connecticut, and so also has Mr. Lawrence to take his place as mayor of New York.

Col. Crockett is yet on his "tower" to the north, and has much amused the people by his originalities, and the broad good humor that plays on his "honest face."

The cholera is bad among the boats on the western waters—several of them, (ascending), have lost from 5 to 20 passengers—one lost 8 cabin passengers. Several U. S. soldiers had died on board the steamboat Philadelphia.

The governor of Rhode Island has issued a warrant convening the old house of representatives, stating that doubts are entertained whether a quorum of senators has been chosen by the people, and that it will be necessary for the house to take steps suited to the emergency.

The condition of things in this state seems awkward enough. In 1832, says a Providence paper, the Jackson legislature passed a law providing for the continuance of the governor and senate in office in case of a non-election by the people. They endeavored to set aside the election of Mr. Robbins, as United States senator, and to substitute Elisha R. Potter for a vacancy which had not happened. Mr. Potter having been rejected, they repealed this same law, and now on the very last day of their political existence, this old house of representatives has been summoned to re-enact this same law, without which the state would be without any government at all."

In the first week of the late opening of the New York canals, the gross receipts on the whole of them, amounted to the large sum of \$44,642 42.

The Pennsylvania canals have been doing a good business for some time. Their opening considerably preceded that of the New York canals, and a spirited competition prevails to obtain the trade of the "great west."

Belgium does not appear to have gained much by the revolution and separation from Holland. Nearly all the merchants have departed for and located themselves in the latter—and from the following it appears that the manufacturers are also moving away—

A letter from Antwerp, in a Ghent journal says—"The house of William Wood, Leaven & Son, of this city has sold to the clergy the extensive buildings in which they carry on their manufactures of muslin. It is intended to convert this building into a convent for nuns. Before the revolution, Mr. Wood gave employment to about 1,500 persons in Antwerp, and 5,000 in the whole kingdom. He is now going to settle at Amsterdam, where he already has a house under his own name. Blessed effects of our revolution!"

There is yet a great deal of uneasiness in South Carolina on account of the test oath required of militia officers. Under all the circumstances of the case we must think—if even believing that a right exists to impose such an obligation, it is expedient, at least, to defer an exertion of it.

#### MISCELLANEOUS ITEMS.

In the night of the 29th ult. the range of houses, called the Phenix buildings, at the corner of Wall and Water streets, N. York, were, with the chief part of their contents, consumed by fire. It broke out in the fifth story. There were many tenants in these buildings. The printing establishment of the *Mercantile Advertiser* and *New York Advocate* was in the 4th story, and all the presses, types, &c. were lost—but happily insured. The publication of this valuable paper was resumed on the 5th inst. and its appearance is much improved. The total loss of property by this fire is not stated, but it must have been a large one. The loftiness of the building rendered it impossible to check the progress of the flames until they had acquired a power that was irresistible unless after the mass of combustible matter was nearly exhausted.

The New York Commercial Advertiser says—"We are happy to learn that the money amounting to three thousand dollars, belonging to the Morris and Delaware canal company, which was lost a few days ago, has, every dollar of it, been restored. The recovery, we understand, was effected at the confessional—and it deserves to be known that unweaned and most laudable pains have been taken by the very reverend Dr. Power, and the other Catholic clergymen in our city, for some time past, to accomplish the restoration. The company is indebted for it to the immediate instrumentality of the former gentleman.

There is a new town called "Grand Gulf" on the Mississippi, near the mouth of the Big Black river, about 50 miles above Natchez. It has only four years' growth, but contains 600 or 700 inhabitants, and many good houses and extensive mercantile establishments. Upwards of 33,000 bales of cotton were shipped from it last year. The Big Black river extends between 3 and 400 miles to the interior, and for a long distance is navigable by steamboats.

The cholera made its appearance at the plantation of Mr. B. Smith, one mile from Port Gibson, Mississippi, about the 1st of April, and, up to the 10th, there had been forty-two cases and six deaths. The paper of the 11th states that no additional case had occurred. There had been one or two cases in the town, but no deaths.

A stout, athletic man by the name of Samuel Book, of Lawrenceburg, Indiana, died at Natchez, two or three weeks since, of cholera. He was on his way home from New Orleans. The Natchez Standard says, "His case was purely one of accident, and now-a-days quite common to persons under particular circumstances—exposure to the weather, and carelessness in the choice of food and general mode of living."

The debt due by the city of Boston, on the 1st of the present month, was \$1,078,088 28. The amount of bonds and notes held by the city was \$157,125 94—leaving a nett balance against it of \$920,962 34. This city owns much valuable property.

The steamboat United States, capt. Van de Water, touched at the mouth of the Genesee river, Lake Ontario, a few days ago, with 1,000 passengers!

The steamboat St. Louis exploded on the 13th ult. on the Upper Mississippi, and 12 or 14 persons were killed or seriously wounded. She was bound for Galena.

The ship Tuscan, which made so successful a trip to Calcutta, with a cargo of ice, is again fitting out for the same voyage, from Boston, with a cargo of the like description. Another vessel will be despatched for Bombay, and the day is not far removed when we may behold ice as one of the staple exports of the north.

At a public sale of the balance of the property of Mr. Boutigny, in New Orleans, on the 11th ultimo, we observe it stated that 48 slaves were sold for the sum of forty two thousand four hundred and ten dollars.

The Maryland state colonization society have succeeded in purchasing and commencing the settlement of a tract of land at cape Palmas, in Africa, to which they have given the name of Maryland. It contains about 400 square miles. The land is said to be of excellent quality and well timbered, and, in point of salubrity, one of the most desirable spots on the western coast of Africa. The country around is not infested with swamps and mangroves as elsewhere. The harbor of the territory is represented as decidedly the best from Sierra Leone to Fernando Po, affording a perfectly safe anchorage for the largest vessels, within pistol shot of the shore.

To the credit of the society, and their agent in the purchase, James Hall, esq. it should be remarked that the bargain with the natives was concluded upon the most reasonable terms, and in a shorter time, probably, than any treaty of the kind was ever before effected, without the intervention of spirituous liquors. [Gazette.]

The Arkansas Gazette says—"About 540 emigrating Cherokees, from the old nation, east of the Mississippi, passed up the Arkansas a few days ago, in charge of lieutenant Harris, U.S.A., on board the steamboat Thomas Yeatman, on their way to join their brethren west of this territory."

Two gentlemen joint keepers of a "coffee house," were *loosed* yesterday. The senior partner to the amount of \$2,000, and costs, and the junior, \$800 and costs—for permitting gambling to be carried on in their premises. They were too polite to contend with his honor the commonwealth. [Boston Post.]

The New Orleans Advertiser of the 27th March, said—"There are now loading at the sugar refinery of Messrs. Forestall & Co. four vessels for the Mediterranean. The refinery is situated about two miles below the city. One hundred and thirty men are employed in it, and the quantity of sugar refined amounts annually to about 12,000,000 of pounds. The whole process is done by steam, and it is said to be without exception, the most extensive and complete establishment of the kind in the whole world."

In answer to an inquiry by Mr. Williams, of N. C. in the house of representatives, Mr. Polk stated that there were 39,000 applications for pensions now before the pension office, and not yet decided upon.

The budget of expenditure of the Dutch government for the present (1834) is 53,822,828 florins, which answers to £4,491,068 sterling; and the population of Holland being 3,500,000, this gives £1 16s. a-head for the taxation in money; and the price of wheat being 30s. 8d. the quarter, this gives 9.39 bushels a-head for the taxation in wheat.

The population of Great Britain, in 1833, was estimated at 16,557,398, viz: Agricultural occupiers, 1,500,000; laborers,

4,800,000; mining 600,000; manufacturers 2,400,000; proprietors and annuitants 1,116,398; seamen and soldiers 831,000; shopkeepers 2,100,000; all other classes 3,190,000.

The mail boat, Star of the West, plying between Mobile and New Orleans, exploded on the 18th ult. by which two persons were killed and several wounded.

Several blacks have been sent to the penitentiary for a violent attempt to rescue a slave, at Philadelphia.

The British frigate President [formerly U. S. frigate] has been ordered from England to the West Indies, to bear the flag of admiral Coekburn.

The cholera has caused many deaths not far from Columbus, Gen. but was subsiding.

One of the Boston papers publishes a regular bill against the navy department, approved by capt. Elliott, and paid by the navy agent, for the sum of \$210 96 "for refreshments provided during the docking of the constitution, June 24, 1833."

Capt. New, of the brig Julia, at New York from Africa, states that H. B. M. ship Etna boarded the American ship Rosannah, and forcibly took from her two seamen, in February last, while lying at St. Jago.

#### FOREIGN NEWS.

From Liverpool papers to the 8th, and London to the 7th April, inclusive.

#### GREAT BRITAIN AND IRELAND.

The rumors of an interference in favor of Donna Maria by the troops of Spain, had produced a decided improvement in favor of Portuguese securities.

A very serious riot took place the beginning of April, at Portadown, Ireland, in which there were much destruction of property and breaking of heads.

There has been some improvement in the British revenues.

#### FRANCE.

The chief subject of interest is the reorganization of the ministry, which, at this moment, is of deep concern to our country, as the resignation of the duke de Broglie and general Sebastiani was occasioned by the refusal of the chambers to make the necessary appropriation, to carry the treaty with this country into effect. We, therefore, give the following abstract, published in the *Moniteur*, which also promulgates royal ordinances, by which M. Persil, deputy procureur general of the royal court, is appointed keeper of the seals and minister of justice and of worship, in the room of M. Barthe, who is created a peer of France, and made first president of the court of accounts, in the room of M. Barbe Marbois, who resigns, but who is invested with the dignity of honorary first president of the court of accounts.

M. Thiers, deputy, minister of commerce and public works, is appointed minister of the interior, in the room of count d'Arrou, who is made governor of the bank of France, in the place of the duke de Gaete.

M. Duchatel, deputy, is nominated minister of commerce in the room of M. Thiers.

The separation of the attributions of the minister of the interior and of commerce, will be hereafter determined by a special ordinance.

Vice admiral count de Rigny, deputy and minister of the marine and colonies, is appointed minister of foreign affairs in the room of the duke de Broglie.

Vice admiral baron Roussin, ambassador at Constantinople, is named minister of the marine in the room of admiral de Rigny, who, however, will continue to exercise the functions of his late office till the arrival of admiral Roussin.

M. Martin du Nord, deputy and advocate general of the court of Cassation, is appointed procureur general of the royal court in the room of M. Persil.

It will be seen, therefore, that the ministers who retain their previous offices are Marshal Soult, president of the council and minister of war; M. Humann, minister of finance; and M. Guizot, minister of public instruction.

#### SPAIN AND PORTUGAL.

The government had decided to interfere in the affairs of Portugal. Ten thousand Spanish troops were to enter that country, on the 1st of April, in two divisions, under the command of generals Morillo and Rodil. They are to proceed to Santarem and join the army of Don Pedro. General Rodil will be commander-in-chief of the combined armies.

Admiral Napier took Camina, by surprise, on the 24th March; he landed with 500 troops which he brought from Lisbon.

#### RUSSIA AND TURKEY.

There were rumors that the Turkish army was recruiting with extraordinary activity in Moldavia and Wallachia; that Nicholas had sent to Achmet Paacha 1,000,000 ducats, proceeding from the debt of Turkey to Russia, that he had granted the sultan eight years to pay off his debt; that a serious revolt had broken out in Bagdad and Kurdistan; that Constantinople was in a most deplorable condition, and nothing but a miracle could save the Ottoman empire.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

##### SENATE.

May 2. Mr. Clay, from the committee of public lands, to which had been referred the bill appropriating, for a limited

time, the proceeds of the sales of the public lands, reported the same with amendments. He also made a detailed report, purporting to be an answer to the veto message of the president of the United States, on returning the land bill of the last session of congress, with his objections.

Mr. Clay moved that 5,000 additional copies of the report be printed, and that it be made the order of the day for next Monday week.

Mr. Forsyth wished to hear the report read. He could not consent to the printing so large an edition of a document, with the contents of which he was unacquainted.

The report was then read in part, and its further reading dispensed with.

Mr. Moore moved to lay it on the table, and this motion being lost, the question recurred on the printing of the report.

A debate then ensued, in which Messrs. Forsyth, Clay, Moore, Poindexter, Black, King and Shepley, took part, after which the question on printing was taken, and decided in the affirmative, as follows:

**YEAS**—Messrs. Bell, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, Leigh, Linn, McKean, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Shepley, Silsbee, Smith, Southard, Sprague, Tipton, Tomlinson, Tyler, Waggoner, Webster—32.  
**NAYS**—Messrs. Benton, Brown, Forsyth, Grundy, Hill, King, of Alabama, King, of Georgia, White, Wright—9.

Mr. Southard submitted the following resolutions, which lie one day on the table:

*Resolved*, That the secretary of the treasury be directed to communicate to the senate the weekly and monthly reports and statements of the bank of the United States, and also those of the banks which have been selected as places of deposit for the public moneys which have been received at the treasury department since the first day of February last; and that he be further directed to communicate to the senate such reports and statements of said banks which he shall hereafter receive, as soon as conveniently may be, after the same shall have been received.

*Resolved*, That the committee of finance be directed to inquire whether any, and which, of the banks selected by the secretary of the treasury, for the deposit of the public moneys, have stopped payment; the amount of public money deposited in them at the time of their suspension, if any—that they inquire, also, into the circumstances attending their selection, and the security taken by the secretary; and whether the public moneys are safe in the places where they are now deposited; and that they have leave to send for persons and papers.

Mr. Webster presented the memorial of a large number of respectable merchants praying that the legal value of gold may be made to correspond with its real value, and that the coins of other countries, at proper rates, may be made a legal tender.

Mr. Ewing presented a memorial signed by 1,750 inhabitants of Ross county, Ohio, praying the restoration of the deposits and the recharter of the bank, which was read, referred, &c.

Mr. Tipton reported the bill to authorise the people of the territories of Michigan and Arkansas, to form constitutions and state governments, with amendments; which were read.

On motion of Mr. Webster, the senate then proceeded to the consideration of executive business, and after remaining some time in secret session, the doors were opened, when the senate adjourned.

May 3. Mr. Silsbee presented a memorial from the district of New Bedford, Massachusetts, comprising the town of New Bedford and other places, signed by upwards of 1,900 persons. This memorial expresses, in strong terms, the disapprobation of the signers to the removal of the deposits, and ascribes their present suffering condition to that act.

Mr. Forsyth made a comparison of the price of oil and some other articles, and said the cry of distress, which had reached congress, had been gotten up for mere party purposes.

Mr. Webster replied at length to Mr. Forsyth, and an animated debate ensued, in which Messrs. Chambers, Knight, Porter, Silsbee, Sprague, Ewing and Poindexter participated; and the memorial was finally read, referred, &c.

Mr. Poindexter moved to postpone the special order until Monday, which was agreed to.

Mr. Hendricks moved a resolution, which was agreed to, inquiring into the expediency of making an appropriation to pay for blankets furnished the militia of Michigan in the late war against Black Hawk.

Mr. Sprague offered the following resolution, which lies one day on the table:

*Resolved*, That the secretary of the treasury be directed to communicate to the senate, a statement of the amount of fees accruing in each collection district in the United States, in each year, since January 1, 1823, the amount of fees paid at the treasury in each year, by those collectors whose fees have amounted to more than the maximum allowed them by law—the names and number of clerks and deputies employed by each collector, who has received such excess of fees—the time when they were employed and the amount paid each in each year. Also, a statement of the contingent expenses of each office where such excess of fees has been received; whether any allowances have been made to officers of the customs for travelling expenses, and, if so, the names of such officers and the times when such expenses were incurred. And, also, a statement of the names of persons who hold, or have held, several offices in the customs at the same time, since January 1, 1823, with the date and

time of continuance of their appointment, and the amount of pay which they have received from each office which they have so held, during the period aforesaid.

On motion of Mr. Forsyth, the senate then adjourned.  
May 5. A message was received from the president of the U. States, answering the call for information relative to the sales of public lands; and

On motion of Mr. Clay it was ordered to be printed.  
The chair announced a communication from the war department, showing the expenditures of that department, together with the unexpended balances of appropriations.

The resolutions moved by Mr. Southard, on Friday, relative to the deposit banks, were taken up, amended, and agreed to.

The senate then proceeded to the consideration of the resolutions of Mr. Poindexter, on the president's protest as modified by Mr. Clay.

The question being on Mr. Bibb's amendment—  
Mr. Wright addressed the senate in defence of the protest, and in opposition to the amendment, until near 3 o'clock, when Mr. Calhoun rose and moved that the senate adjourn—but gave way to allow Mr. Clay to make a few remarks in reply to Mr. Wright.

On motion of Mr. Poindexter the senate proceeded to the consideration of executive business, and after being a short time engaged therein adjourned.

May 6. Several resolutions relative to private claims being successively submitted, and petitions presented and disposed of.

The senate on motion of Mr. Poindexter, proceeded to the consideration of the special order, being the resolutions on the subject of the president's protest, as modified by Mr. Clay.

The question being on the amendment offered by Mr. Bibb—  
Mr. Calhoun rose, and addressed the senate for about an hour, in opposition to the power assumed by the president; and to the amendment.

Mr. Bibb then withdrew his amendment; and  
Mr. Forsyth then moved to amend the resolutions, by striking out all after the word "resolved," in the first resolution, and inserting:

"That the message of the president, protesting against the resolution of the senate of the 25th of March, be entered on the journal, according to his request.

"Resolved, That, leaving to the states to whom the senate is alone responsible, to judge whether the resolution complained of is, or is not, within the constitutional competency of this body, and called for by the present condition of public affairs, an authenticated copy of the original resolution, with a list of the yeas and nays, of the president's message, and of these resolutions, be prepared by the secretary, and transmitted by the vice president to the governor of each state of the union, to be by him laid before the legislature at their next session, as the only authority authorized to judge upon the opinions and conduct of the senators respectively."

Mr. Poindexter called for the yeas and nays and they were ordered.

Mr. Calhoun then moved to amend the original resolutions by adding the two following resolutions:

*Resolved*, That the president of the United States has no right to send a protest to the senate against any of its proceedings.

*Resolved*, That the senate do not receive the protest of the president.

Mr. Forsyth finally withdrew his amendment for the present, to allow the question to be taken on Mr. Calhoun's resolutions.

The yeas and nays were then ordered, when—  
Mr. Forsyth addressed the senate in opposition thereto, in defence of the president and in reply to Mr. Calhoun. He was followed by Messrs. Poindexter, Preston and Webster.

Mr. Webster requested a division of the two resolutions, and the question being taken on the first resolution, was decided as follows:

**YEAS**—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Sprague, Swift, Tomlinson, Tyler, Waggoner, Webster—25.

**NAYS**—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Shepley Tallmadge, Tipton, White, Wilkins, Wright—17.

Mr. Clayton having requested it, Mr. Calhoun consented to withdraw his second resolution; but the chair decided, as the yeas and nays had been ordered, it could not be withdrawn, without the unanimous consent of the senate, and Mr. Forsyth objected.

Mr. Clay then moved to lay it on the table, which motion the chair also decided to be out of order, whereupon an appeal was had from the decision of the chair and the senate sustained the decision.

The question was then taken on Mr. Calhoun's second resolution and decided in the negative as follows:

**YEAS**—Messrs. Calhoun, Clayton, Ewing, Leigh, Naudain, Poindexter, Robbins—7.

**NAYS**—Messrs. Bell, Benton, Black, Brown, Brown, Clay, Forsyth, Frelinghuysen, Hendricks, Hill, Kane, Kent, King, of Alabama, King, of Georgia, Linn, Moore, Porter, Prentiss, Preston, Shepley, Silsbee, Smith, Swift, Sprague, Tallmadge, Tipton, Tomlinson, Tyler, Webster, White, Wilkins, Wright—34.

After some conversation between Messrs. Forsyth, Calhoun and Poindexter,

Mr. Forsyth moved his amendment, as a substitute for the original resolutions, and the question being taken thereon, appeared as follows:

**YEAS**—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Georgia, Linn, McKean, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—16.

**NAYS**—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Moore, Naudain, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Sprague, Swift, Tomlinson, Tyler, Webster—24.

On motion of Mr. Webster, the senate then adjourned.

May 7. The chair announced a communication from the treasury department, in relation to the fees and emoluments of officers of the customs.

Mr. Clay submitted the following resolution, which was considered and adopted:

**Resolved**, That the secretary of the treasury be directed to report, as soon as practicable, to the senate, the amount of duties received and accrued on foreign imports during the first quarter of the year 1834, with a table showing the comparative amount of the year 1833, and distinguishing between the amounts accrued or received at each port.

**Resolved**, That he communicate to the senate, whether any thing has happened since his annual report was made, at the commencement of the present session of congress, to vary, in his opinion, the estimate contained in the said report, of the proceeds of the duties on foreign imports, for the year 1834.

The bill making an appropriation for the completion of the road from the point opposite to Memphis to Little Rock, in the territory of Arkansas, was read the third time and passed.

On motion of Mr. Frelinghuysen, the senate proceeded to the consideration of the resolutions of Mr. Poindexter, as modified by Mr. Clay and Mr. Calhoun; when

Mr. Webster addressed the senate for about two hours and three quarters.

Mr. Benton spoke in reply to the arguments which had been brought forward against the protest.

Mr. Poindexter said he had wished to deliver his sentiments; but that his desire to proceed to the legislative business was such that he would forbear. He was willing to rest his vote on the arguments which had already been offered, and in none with more confidence than in the arguments the senate had to-day heard from the gentleman from Massachusetts, for which he accorded to that gentleman his sincere thanks.

The yeas and nays were then ordered on the resolutions.

Mr. Forsyth asked for a division of the question, and expressed a desire to make some remarks.

Mr. Brown moved that the senate adjourn.

Mr. Clay asked for the yeas and nays, which were ordered.

The motion to adjourn was negatived, yeas 12 nays 27.

Mr. Forsyth then spoke at length in reply to Mr. Webster.

Mr. Webster briefly rejoined.

The question was then taken on the resolutions separately, when they were decided in the affirmative, as follows, the vote being the same on each of the four resolutions:

**YEAS**—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—27.

**NAYS**—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, King, of Ala. King, of Georgia, Linn, McKean, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—16\*

So the resolutions were agreed to, in the following form:

**Resolved**, That the protest communicated to the senate on the 17th instant, by the president of the United States, asserts powers as belonging to the president, which are inconsistent with the just authority of the two houses of congress, and inconsistent with the constitution of the United States.

**Resolved**, That while the senate is, and ever will be, ready to receive from the president all such messages and communications as the constitution and laws and the usual course of business authorise him to transmit to it, yet it cannot recognise any right in him to make a formal protest against votes and proceedings of the senate declaring such votes and proceedings to be illegal and unconstitutional, and requesting the senate to enter such protest on its journals.

**Resolved**, That the aforesaid protest is a breach of the privileges of the senate, and that it be not entered on the Journal.

**Resolved**, That the president of the U. States has no right to send a protest to the senate against any of its proceedings.

Mr. Poindexter gave notice that he should on Friday call up the report of the committee on the Rhode Island election. The senate then adjourned.

May 8. Mr. Kane said he was unexpectedly absent when the vote was taken yesterday on the resolutions on the subject of the president's protest; and asked permission to record his vote on these resolutions.

Messrs. Clayton and Moore objected to the indulgence on the ground that it would be violative of a rule of the house, and reminded the gentleman, that during the last session, gentlemen who were absent on the passage of the force bill, were denied the privilege of recording their votes.

\* Absent on these votes—Messrs. Chambers, of Md. Mangum, of N. C. Morris, of O. and Robinson and Kane, of Illinois.

The motion was rejected without a division.

Mr. Benton presented a memorial from Boston, signed by upwards of 2,000 persons, opposed to the bank of the United States and to the restoration of the deposits. Read, referred, &c.

The senate then took up the Cumberland road bill, which was read, amended and ordered to be engrossed for a third reading, by the following vote:

**YEAS**—Messrs. Benton, Ewing, Frelinghuysen, Grundy, Hendricks, Kane, Kent, Linn, McKean, Poindexter, Porter, Prentiss, Robbins, Silsbee, Smith, Southard, Swift, Tallmadge, Tipton, Tomlinson, Webster—21.

**NAYS**—Messrs. Black, Brown, Forsyth, Hill, King, of Ala. King, of Georgia, Leigh, Moore, Naudain, Preston, Shepley, Tyler, White—13.

The senate proceeded to the consideration of executive business, and after being some time engaged therein, the doors were opened, and then the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Thursday, May 1. While Mr. Foot's motion was pending in committee of the whole, to reduce the item of the general appropriation bill which makes an appropriation of \$36,000 for the salaries of ministers to Great Britain, France, Spain and Russia to \$18,000 with a view to exclude the appropriations for Great Britain and Russia.

Mr. Adams, of Mass. replied at large to the remarks of Messrs. Wayne and Polk, and insisted on the necessity of some pledge that the nominations for the two courts referred to last, would be made during the session.

Mr. Archer gave the reply of the secretary of state to an inquiry on that subject; on which Mr. Adams commented with much humor and severity.

Mr. Coulter was willing to vote for the appropriation of a mission to Russia, but was opposed to the item for England, because a similar appropriation had twice been made already, and the executive had not responded to the overture of the legislature.

Mr. H. Everett put a question to Mr. Archer, the object of which was to elicit a disclaimer on the part of the executive, of any purpose of appointing a minister to England after congress should have adjourned.

Mr. Archer disavowed any power to answer on the part of the president, but presumed no such appointment would be made, as he could not deem it constitutional.

Mr. Binney considered the response from the department of state as tantamount to a declaration that no nomination would be made to the senate; and he was, therefore, for striking out the item.

Mr. Beardsley, of New York, insisted that the president had the whole appointing power; though under certain circumstances he must have the advice of the senate. An appointment made in recess was as valid as during the session; and a person so appointed would hold his office to the close of the succeeding session though the senate should reject him. He opposed the amendment.

Mr. Reed, of Mass. replied with severity on the pretensions set up by Mr. Beardsley, for the president.

The motion to strike out Great Britain was rejected as stated in the last Register, page 152.

The reading of the bill then proceeded until that clause was reached which provides for *charge des affaires* to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America and New Granada, \$58,000.

Mr. Adams inquired of Mr. Archer, as chairman of the committee on foreign affairs, why these items had been inserted for Belgium and Buenos Ayres, and the other South American states. He wanted information on the state of our relations with those countries.

Mr. Wilde adverted to the lateness of the hour, and moved that the house now adjourn, and the house accordingly adjourned.

Friday, May 2. After several bills of a private or local character had been disposed of,

The house again proceeded to the consideration of the general appropriation bill, as in committee of the whole; when

Mr. Adams went into a full explanation of the grounds on which he had requested from the chairman of the committee on foreign relations, an exposition of the reasons why appropriations were asked for keeping up diplomatic relations with Belgium, Buenos Ayres and the South American states.

Mr. Archer, in reply, went into a very full and satisfactory expose of the state of our relations with the states to which Mr. Adams's inquiry had reference.

The bill having been gone through with and amended, and no further amendments being offered, on motion of Mr. Polk, the house adjourned till Monday next.

Monday, May 5. Mr. Osgood, of Mass. called up the resolutions and letter of instructions from his district, signed by 4,600 persons, instructing him to vote for the restoration of the deposits. Mr. O. entered into an explanation of his reasons for declining to comply with the instructions of his constituents.

Memorials, resolutions, &c. favorable to the restoration of the deposits were presented, as follows: by Mr. Adams, of Mass. from sundry merchants, mechanics and others of Detroit, Michigan; by Mr. Burges, from artisans and Mechanics residing in nearly all the towns of Rhode Island, also resolutions adopted in a convention of mechanics and artisans assem-



bled from various towns in the same state; by Mr. *Huntington*, from sundry inhabitants of Newtown, Connecticut; by Mr. *Hall*, from 1,723 freemen of the county of Windham, Vermont; by Mr. *Stade*, from sundry citizens of the 3d congressional district of the state of Vermont; by Mr. *Heman Allen*, from the young men of the city of Burlington, Vermont; by Mr. *Dickson*, from inhabitants of Ontario county, New York; by Mr. *Fuller*, from 1,800 inhabitants of Livingston county, New York; by Mr. *Selden*, of New York, from 6,000 inhabitants of Oneida county, in that state; all which memorials, &c. (with the exception of the one presented by Mr. *Dickson*, of New York), were read, referred, &c.

Memorials, resolutions, &c. favorable to the removal of the deposits, were presented by Mr. *Osgood*, of Mass. from 3,072 citizens of Boston; by Mr. *Pearce*, (three memorials) from sundry places in Rhode Island; by Mr. *Clarke*, from sundry citizens of the state of New York; by Mr. *Lawrence*, from working men, mechanics, and others, in the city of New York; and by Mr. *Webster*, from inhabitants of Onondago county, New York; which were severally read, referred, &c.

Mr. *Gorham*, of Mass. presented a memorial from sundry merchants in Boston, praying that foreign coins may be made a legal tender; which was read, referred, &c.

Mr. *Selden*, of New York, moved that a committee, consisting of one member from each state, be appointed to consider and report, in form of a bill, a plan for a safe and uniform currency, under authority of the United States.

The speaker said, that could only be done by permission of the house.

Mr. *Selden* asked permission of the house; but objections being made, he moved a suspension of the rules—there being no quorum, however, the motion of Mr. S. stands over till Monday next—and the house adjourned.

Tuesday, May 6. Mr. *Stewart* reported a bill to extend the improvement of steamboat navigation.

Mr. *Gartland*, of Lou. moved three resolutions, the first inquiring into the propriety of appointing a judge of the district court of the United States for the western district of the state of Louisiana; the second for making an appropriation in lands or money for constructing levees on the banks of the Mississippi and Red rivers; and the third for appropriating money or land to remove the raft in the river Atchafalaya; which resolutions were severally agreed to.

Mr. *Seaborn Jones* obtained leave and made a report in the case of the contested election between Mr. *Letcher* and Mr. *Moore*, of Kentucky, which he moved to have read, laid on the table and printed, with the accompanying documents.

The report is of a voluminous character, detailing at length the proceedings taken by the committee to investigate the votes received, and concludes by stating, that it appeared to them, that the number of legal votes stood—

For Mr. Moore	3,099
For Mr. Letcher	3,055

Leaving a majority for Mr. Moore of 44

Whereupon, they report the following resolutions:

Resolved, That Thomas P. Moore be declared entitled to his seat as representative for the 5th congressional district of Kentucky.

Resolved, That R. P. Letcher, in consideration of the expenses to which he has been subjected, is entitled to receive remuneration, at the rate of eight dollars per diem, and a similar sum, as viaticum, for every twenty miles.

Mr. *Jones* moved that the consideration of the report be made the special order of the day for Tuesday next.

Mr. *Banks* moved that the evidence taken before the committee be printed.

Mr. *Jones*, of Ge. declined accepting the motion as a modification, and objected to the printing of the evidence, on the grounds of delay and expense. What use, he asked, were the labors of the committee, if the votes were to be again canvassed by the house.

Mr. *Hardin*, of Kentucky, thought the evidence should be printed; that the papers were extremely illegibly written. It was necessary that the house should examine this testimony for itself, and asked, how it was possible to do so in manuscript taken down in such illegible characters? The necessity of such printing and examination would be manifest to the house, when it was known that many of the votes had been excluded, not on questions of law, but on contested statements as to facts.

Mr. *Hardin* then proceeded to make some remarks on the construction of the committee. He did not impute improper designs in such construction, but thought it an unfortunate one; and, on that account, appealed to the magnanimity of the house.

Mr. *Wilde* said he had the duty of a judge to perform, and he would not consent to undertake it, if the evidence on which his judgment was to be formed was withheld from his inspection. The house had ordered the committee to report the evidence to the house, and they had not done so; nor did they offer any excuse for not doing it.

Mr. *Jones* replied with warmth to the remarks of Mr. *Hardin*, and a lone and angry debate ensued, abounding in personalities of a painful nature between them. Messrs. *Wilde* and *Vanderpoel* also participated in the debate, which occupied the house till near 5 o'clock. It was finally decided, that the report, all the testimony, together with lists of the names of the disputed voters, &c. should be printed. The house then adjourned.

Wednesday, May 7. Mr. *Gamble* submitted the following resolution which was laid on the table for one day, as required by the rules:

Resolved, That the secretary of war be directed to communicate to this house the whole number of cadets that have been admitted to the military academy at West Point since its first organization to the present time; how many are there at present; the number that have graduated; how many have been commissioned, and are now in commission, in the army, and the number that is necessary to be kept there to supply the vacancies that ordinarily occur in the army; also, the number of supernumerary cadets with the rank of lieutenant, who are in the pay of the government, and not in command.

The engrossed bill, to extend the time for carrying into effect the convention with France, being on its final passage, Mr. *McKay* wished to have some information on the subject from the chairman of the committee for foreign affairs.

Mr. *Archer* replied, and called for the reading of the report from the secretary of the commission, and contended for the necessity of continuing the commission in order that they might prepare and adjudicate correct statements of the claims.

Mr. *McKay* considered the refusal of the chamber of deputies to make an appropriation to carry into effect the treaty, to be equivalent to a declaration that they would not execute any part of the treaty, and therefore thought a postponement of the bill necessary, that time might be allowed to ascertain to what this refusal might lead; for if it turned out that there would not be any prospect of the treaty being fulfilled by the government of France, there could not be any propriety at all in continuing the commission beyond its present legal term.

Mr. *Burges* considered an extension of the time necessary, the rejection by the chambers of the appropriation was on the ground that it was too large. The commissioners, he had no doubt, would ascertain the amount of claims to be more than four times the stipulated amount.

Messrs. *Burringer*, *Wilde*, *Reed*, *Williams* and *Wayne* expressed their views.

Mr. *J. Q. Adams* did not consider the act of the French chamber as a refusal to carry into effect the provisions incumbent upon their nation, by a treaty solemnly ratified. It was only a refusal for a time, to make the appropriation. He coincided in the opinion, that, instead of suspending on our part, we were the more bound to go on with the commission, and ascertain the amount of claims which our citizens had to prefer.

The bill was then passed and sent to the senate for concurrence.

The general appropriation bill was then taken up, and nearly the whole of the thirty-five amendments reported from the committee of the whole were concurred in without debate. The proviso allowing to the commercial agent at Algiers the same salary as is now paid to the consuls on the Barbary coast, was resisted and finally rejected.

The amendments reported by the committee having been gone through with,

Mr. *Vance* again moved the list of items for the retrenchment of salaries and pay of members of congress; but before any progress was made therein, the house adjourned.

Thursday, May 8. After the usual morning business, On motion of Mr. *Polk*, the house proceeded to the consideration of the general appropriation bill.

The question being on the retrenchment amendment moved by Mr. *Vance*—

Mr. *Vance* supported his amendment in a speech of considerable length.

He was followed by Messrs. *Wardwell*, of N. York, *Leavitt*, of Ohio, *Miller*, of Pa. and *Bynum*, of North Carolina, who opposed his amendment, and defended the course of the administration.

The latter gentleman warmly eulogised the president as having fulfilled his pledges to the south in putting down internal improvements, the tariff, and the bank of the United States.

Mr. *Chilton* replied to Mr. *Bynum*, and referred to pledges given in the west by the president, in favor of internal improvements and the tariff.

The debate was further continued by Messrs. *Vance*, *Bates*, *Ewing* and *Lincoln*, and without coming to a decision upon Mr. *Vance's* amendment, after three times refusing to sustain calls for the previous question the house adjourned.



GREAT AERONAUTIC EXPEDITION.

The circumstances attending the second splendid balloon ascension of Mr. *Mills*, on Thursday afternoon, (May 1), render it one of the most lengthened and interesting aeronautic expeditions ever made. We mentioned in yesterday's paper the particulars of his departure from Fairmount, and the apparent course he had taken; and are now enabled to supply some very interesting details of his long and rapid flight through the upper regions. His first course, after ascending, was about south east, but in a short time a counter current of air wafted him in an opposite or westerly direction, immediately over the city. His flight westward was only as far as a point above the long bridge over the Patapsco, when he encountered an adverse current which carried him back again in an easterly course.

During all this time Mr. *Mills* continued to rise, by occasionally throwing out ballast. His compass now proved of no service to him, from the constant rotary motion which the balloon

assumed, first swinging round in one direction, and then revolving in a contrary one. The course of the balloon was eastwardly. At forty minutes after five, Mr. M. encountered a violent snow storm, with the thermometer down to 34. Besides being obliged to endure its peltings, he was subjected to a thorough drenching from the melted snow, which thawed as it fell on the balloon, and ran down from its neck into the car immediately under it. At the same time, also, a body of clouds passed beneath him, and he lost sight of the earth altogether. The storm, however, soon passed off, and except the drenching, left him unharmed.

At six o'clock he had attained his greatest elevation, which, according to his estimate and the indications of the barometer, was upwards of two miles! The thermometer was now down to 33 deg., or only one degree above freezing point. Mr. M. all the while was going eastwardly, passing over the light houses at North Point, and across the expanse of the Chesapeake bay towards Kent county, on the Eastern Shore. He had now had recourse to his valves, and was gradually descending. After having passed into Kent county about half a mile, he made preparations to land, and had descended within about five hundred feet of the earth, when the balloon was taken by a sudden and violent gust or current of wind from the east. This was at 35 minutes after six. In an instant after the wind struck the balloon, it was driven with the swiftness of an arrow, and in the short space of seventeen minutes, he was carried back to North Point, a distance of fourteen miles across the Chesapeake bay! Now, as heretofore, Mr. M. preserved an undisturbed coolness and self-possession, and as he was careering across the waters with the swiftness of the wind itself, he discharged gas enough to bring him within two hundred feet of the surface. As the anchors struck the water they rebounded with a force that gave him a pretty distinct notion of the rate at which he was travelling. As soon as he came over the land at North Point, the wind greatly abated, and at ten minutes before seven he effected a safe landing on the farm of Mr. Lyde Goodwin, from whom and his family he received every assistance in securing his balloon and apparatus in perfect order.

Thus terminated this most extraordinary aerial voyage, prosecuted for three hours, to the distance of about fifty miles, and for the greater part at an elevation of one to two and a quarter miles. After this feat, Mr. Mills, who, it should be borne in mind, is a young mechanic of Baltimore, self taught, and dependent alone on his own unaided efforts, may fairly take rank with the most successful aeronauts of the age.

The following table shows the observations made by Mr. Mills on the barometer and thermometer, at various periods during his voyage. He left Fairmount at ten minutes before four o'clock, P. M.

TABLE OF OBSERVATIONS.

Time.	Barometer.	Thermometer.
h. m.	in. 10th.	degrees.
3 57	29 8	63
4 15	25 8	59
4 25	24 2	54
4 40	24 1	51
4 55	23 9	43
5 10	23 4	41
5 25	23 0	35
5 40	22 9	34
5 55	22 8	34
6	22 7	33
6 15	23 0	36
6 20	23 4	41
6 25	24 2	54
6 35	27 0	58

[Baltimore American.]

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**COMPLIMENT TO JUDGE PORTER.**

At a meeting of the friends and countrymen of the hon. Alexander Porter, of the United States senate, held on the 25th inst. pursuant to public notice, at the Indian Queen hotel, South Fourth street, James Gowen, esq. was called to the chair, and Dr. McHenry appointed secretary. The report of the committee which had addressed to Mr. Porter an invitation to a public dinner, was then received, and the following resolutions were adopted:

*Resolved*, That the reply of the hon. Alexander Porter to the committee, has the entire approbation of this meeting, and that, together with the letter of invitation, it be published in such of our daily papers as are friendly to the sentiments it contains.

*Resolved*, That a committee be appointed to wait on the hon. Alexander Porter, for the purpose of expressing to him our regret that the state of his health should be such as to oblige him to decline the invitation, and also to convey to him our sincere wish for its speedy restoration, and our hope, that when the adjournment of congress shall release him from his public duties, he will revisit our city, and afford us another opportunity of manifesting to him those feelings of regard, which shall be as abiding as the recollection of the virtues of his patriotic father, or the appreciation of his own merits.

Whereupon the following gentlemen were appointed the committee, viz:

James Gowen, James McHenry,  
William Ferris, Samuel Black.

The meeting then adjourned.

JAMES GOWEN, chairman.  
JAMES McHENRY, secretary.

The following is the letter of invitation:

Philadelphia, April 23, 1834.

Hon. Alexander Porter:

DEAR SIR: We, the undersigned, residents of Philadelphia, your countrymen by birth, and your fellow citizens by adoption, impelled by a variety of motives, all tending to impress upon us the highest regard for your character, seize on the occasion of your sojourn amongst us, to make some manifestation of our feelings towards you. Among these motives we would particularly advert to one, peculiarly impressive, namely, the deep veneration we entertain for the memory of your illustrious father, who so zealously and fearlessly, in times of unexampled trial and peril, devoted his splendid talents and unwearied energies to the cause of our beloved country—the cause of civil and religious liberty; to which having fallen a willing martyr, he now occupies, and shall forever occupy, a place in the affections of his countrymen, with the imperishable names of Orr, Tone and Fitzgerald, and the ever to be lamented Robert Emmet.

In addition to the feelings inspired by these peculiar and affecting circumstances, we are led by a just sense of those merits which induced the patriotic state of Louisiana to place you as a member in the noblest institution ever established by freemen for the protection of law and liberty—the senate of the U. States—and of the ability and propriety of your course in that body, to invite you to partake of a public dinner to be given on whatever day may best suit your convenience, and which it may please you to designate.

We are, respectfully, your friends and countrymen,

JAMES GOWEN, JOHN MAITLAND,  
ALEXANDER COOK, CHARLES JOHNSON,  
WILLIAM FERRIS, JAMES McHENRY,  
JOHN WATERS,

THE REPLY.

Philadelphia, April 24, 1834.

GENTLEMEN: I have had the honor of receiving your letter of yesterday, inviting me to a public dinner, to be given in this city at such time as may best suit my convenience.

I receive, gentlemen, with deep sensibility, this mark of your regard, enhanced as it is by the terms in which you have thought proper to convey it. It is dear to me as coming from men who, like myself, claim Ireland as their birth place, and doubly dear to me because it shows that neither time or change of country can erase from their warm and affectionate hearts the remembrance of those who perished in an ineffectual, but noble struggle, to obtain for them, in the land of their birth, that freedom which the generous institutions of this country have bestowed on them here. The touching allusion you have made to my father, fills me with emotions which you can easily understand, but which I should in vain attempt to portray. The best return I can make you, for the tribute you pay to his memory, is to assure you, that as in all past times his example has animated me, so I shall to the end, I trust, keep the recollection of his virtues steadily in view, and endeavor to emulate them.

But I am still prouder, fellow citizens, of your approbation, when I see, that while true to the ties which bind virtuous men to the land of their birth, you are alive to the paramount duties you owe to the country which has adopted you. You have thought proper to allude in terms of approbation to the course I have pursued in that august body in which the confiding kindness of the patriotic people of Louisiana has placed me. I claim, however, no other merit than to have faithfully pursued there the course of conduct which my judgment dictated in the present alarming and unprecedented posture of our public affairs. Embarked, as I believe the senate of the United States now is, in a severe, but as I trust in God the event will prove, not an unsuccessful contest against the encroachments of executive power, I should be false to every principle which has hitherto guided me in life, if I were not found in this battle ranged on the side of the constitution and the law. And your approbation, fellow citizens, though it gratifies, does not surprise me. In every period of American history, Irishmen have been found the strenuous supporters of liberal principles; and though in the eagerness with which, impelled by an ardent temperament, they have pursued their object, they may have sometimes mistaken the best means to attain it, and have given to the heart, what the head could not always approve, no such imputation can rest on them now, when they are seen ready to sacrifice their former attachments, to the call which the best interests of their country makes on their patriotism.

It would indeed, fellow citizens, have been a source of much more satisfaction to me to have been enabled to approve the measures of the present administration of the general government, than to find myself compelled to oppose them. The various matters, however, on which my judgment has concluded its course to be erroneous, dwindle into comparative insignificance, to the objections I entertained to the powers claimed by the president, for the executive department of the government, in a late paper bearing his signature, and called by him a *protest*. By that document we learn, that the president of the United States claims the right to hold under his control the public money, contrary to the will of a majority of the American people, or of their representatives in the two houses of congress. It is true this power is not asserted by him in these words, but what he does assert is identical with this proposition, and cannot be separated from it. For having now obtained the public moneys, by removing the deposits from the United States bank,

he says they can only be taken from him by a new law, which shall regulate their disposition for the future. To the enactment of such a law his own sanction is necessary, if it be passed by a majority, and not by two-thirds of the senate and of the house of representatives. And if he is dissatisfied with its provisions, or unwilling to relax his grasp, he can and will veto it. So it is plain that he does virtually maintain the existence of a right in himself to hold the purse of the republic, contrary to the will of a majority of both houses of congress.

This cannot be in my judgment the true meaning of the constitution of the United States. The illustrious men who framed that instrument, knew too well by the experience of the past, that the future would be most wretchedly provided for, if such a power was vested in any one man. The fatal error into which the president has been led, is to consider himself the depository and guardian of the public money, until a law be passed to deprive him of it; while it is clear on the contrary, that until a law is enacted giving him such power, he cannot constitutionally exercise any control over the people's money. I regard, therefore, the doctrine lately put forward by him, as unsound in principle, and leading to consequences which no patriot can contemplate without dismay. In conjunction with the enlightened statesmen now in the senate of the United States, I shall, may be assured, fellow citizens, be found firmly resisting by all constitutional means such an extraordinary assumption of authority. The necessity for a vigorous resistance to it, is not diminished by conceding, that the chief magistrate has not the evil intention of destroying the liberties of his country. On the contrary, the more virtuous the man who, through the influence of false councils and violent passions, sets a bad example, the more dangerous the precedent becomes for posterity.

The state of my health, which is the cause of my present visit to your city, forbids me to accept the invitation you have been so kind as to convey to me. I pray you to express to those whom you represent, the regret I feel at my inability to meet them, and accept my thanks for the obliging manner in which you have conveyed their wishes.

I remain with great respect, your friend and obedient servant,  
ALEX. PORTER.

To Messrs. James Gowen, John Maitland, Alex. Cook, Charles Johnson, Wm. Ferris, James McHenry, John Waters, &c.

### ELECTIONEERING

OR THINGS TO BE LAUGHED AT.

The following with all its italics, CAPITALS and notes of admiration!!! is copied from a late number of that solemn, "Minerva-bird"-like paper, the "Richmond Enquirer."

"Glorious! Glorious!! Thrice Glorious!!! GREAT WATERLOO VICTORY IN HALIFAX. I told you so. And I am certain that I shall never die contented, unless I communicate to you what a victory the Jackson and anti-bank democracy have achieved for their country. Sneed and Carrington are elected by a large majority over Bruce and Sims, the coalition candidates." "Such a victory is worth talking of: it should be published in all the journals of Washington, that Halifax, the largest county in the state, in population, and, in extent of territory, equal to senator Tyler's whole empire—that Halifax noted for the quantity and the quality of her tobacco—that Halifax which is proverbial from Baffin's bay to Cape Horn, and all along the coast of Massachusetts, has come out triumphant for the good cause."

Now this awful county, at the last census, contained 28,034 inhabitants, of whom 14,307 were persons of color—nearly 14,000 being slaves. Deduct these, and the people of this vast county, (13,727), do not equal those of some of the wards of our cities!

### FRENCH CLAIMS.

The report made to the French chamber of deputies in March last, by the committee appointed to examine the convention of July, 1831, between the two nations, has been translated by order of the state department, and is published in the Washington Globe. The report concludes with a bill for carrying the convention into effect.

The French report gives a long historical account of the origin of these claims, and the various conflicting decrees and orders in council,—British and French,—by which the neutral rights of the United States were invaded by both belligerents, and under color of which so vast an amount of American property was seized and confiscated. These incidents are successively sketched from the convention of 1800, through the treaty of Louisiana in 1803; the British orders in council of 1804-5-6; the Berlin, Milan and Rambouillet Decrees of Napoleon; the embargo and non-intercourse acts of America, to the revocation of the French decrees in 1811, and the war of 1812. In all these harsh and retaliatory measures, the abstract injustice of the system of commercial warfare is frankly admitted, and quoting the language of Napoleon, it is classed with "the barbarism of the early ages."

To this follows a history of the negotiations between the two nations for adjusting the controversy, beginning with that conducted by Joel Barlow in 1812, down to the final convention of 1831, concluded by Mr. Rives.

The first official French document recognizing the right of the Americans to indemnification, is the report of the duke of

Vicenza (Caulaincourt), minister of foreign affairs in 1814, just before the fall of Napoleon. The report deserves notice as containing very nearly the admissions which were made the basis of the late arrangement. The claim to indemnity for seizures made under the Berlin and Milan decrees was rejected, and the claims of the sufferers limited to seizures made after the revocation of those decrees in 1810; seizures made when the vessels captured had no knowledge of the decrees, of vessels destroyed at sea by state vessels; and the seizures made at St. Sebastians. The amount of indemnifications was put at 18,000,000 francs.

Mr. Barlow's first note in 1812, exhibited the amount at 70,000,000 francs. The president's message in that year, gave a list of 558, captured vessels; and Mr. Rives, in 1831, submitted a list of 485, which he stated to be incomplete, the value of which he estimated at \$14,000,000 about the same amount as that claimed by Mr. Barlow in 1812.

The favorable reception of the American claims by Napoleon is explained by the report, by his desire to do an act of justice, and at the same time "encourage them in their efforts" in the war against Great Britain.

The fall of Napoleon and the establishment of the government of the Bourbons, changed the face of affairs. Louis and Charles set up counter pretensions, which showed their determination to avoid the payment of any portion of the claims, if possible. Their first claim was one of indemnification for a breach of treaty of 1803—by which French vessels were to be admitted into the ports of Louisiana, on the same footing with the most favored nations; but by the treaty of Ghent the English had received greater favors. The second was the peremptory plea, that the royal government was not responsible for the acts of the government of Napoleon. It would comply with contracts and pay debts, but did not consider itself bound to make reparation for acts of spoliation.

The negotiation nevertheless continued until the revolution of July, and the fall of Charles X. After that occurrence, the report proceeds to say, the government thought it "prudent and proper," seriously to resume its negotiations with the United States, "which had been raised by a long period of prosperity to an eminent rank among foreign powers, and were in a situation to make their flag respected." Hence the commission to settle the convention, and final settlement in 1831. The principle of non-responsibility for the acts of the imperial government was immediately laid aside, the justice of the general claims to indemnity, as asserted by the American government, subject to discussion and exceptions of some classes, was admitted at once, and the amount and details of indemnification were speedily settled. The exclusion of the Dutch cases, and other classes of prizes reduced the sum claimed by Mr. Barlow, and after reciprocal offers and discussions, 25,000,000 francs were agreed upon.

The rest of the report is occupied with an examination of the different classes of prizes and their amounts, in order to show that the sum of 25,000,000 francs is not more than ought to have been granted. The report concludes with a bill appropriating the necessary sum.

### TREATY BETWEEN THE U. STATES AND FRANCE.

Chamber of deputies, 26th March.

The chamber took into consideration the project of law relative to the treaty between France and the United States of America.

M. Boissy d'Anglas spoke against the project. Gentlemen, he said, if the treaty, the ratification of which you are called upon to sanction by a vote of 25,000,000 francs, were useful to France—if it were based upon a principle of reciprocity, I should not hesitate to express my approbation of it; but, as far as I can see at present, the necessity of such a measure has not been demonstrated. The United States have confiscated our vessels, and have done the greatest injury to our commerce—circumstances which are not, in my opinion, sufficient to induce us to grant that government an indemnity.

General Horace Sebastiani read a discourse in favor of the project. He said that it was he who, when the minister of foreign affairs, signed the treaty, the money clauses of which are now submitted to the examination of the chamber. He reminded the chamber that even the imperial government had acknowledged the justice of these claims—at least a very large portion of them. M. De Caulaincourt, when minister, valued them at 15 to 20 millions. But at that time the emperor was approaching to his downfall, and he has left this obligation to the country to fulfil. At the restoration, when all the other powers were wresting from us, the United States alone refused the intervention of the conquerors, and did not put forward those claims until the year 1816. The then ministers declined to enter into any arrangement, on the ground of the exhausted state of the national finances, and advised an adjournment of the demand to a future period. Such was the state of the question when the revolution of July broke out. This great event cemented still more the good understanding between the two countries. The United States again brought forward their claims. The debt involved great political and commercial interests, and the king's ministers, under the influence of such considerations, did not hesitate to conclude the treaty now before you.

M. Bignon said that, in his opinion, the French government had not, in this transaction, profited as much as it might have done of the favorable position in which it found itself. The

honorably added, that he did not mean to say that an indemnity should not be given, but one much less onerous than that now proposed might have been agreed upon. The hon. deputy concluded by proposing to reduce the indemnity to 12,000,000.

The minister of foreign affairs said, that the government could not be justly blamed for any delay in bringing forward this project, which had been already presented in the two preceding sessions, and its not having been discussed and voted was owing to the pressure of other business before the chamber.

M. Gay entered into a refutation of the objections made by M. Bignon.

M. Angris voted against the project, and said, if this indemnity to the American government was granted, there would be no reason to refuse others of a similar kind, which would, no doubt, be brought forward by other countries.

On the 1st April the discussion was resumed. The following are extracts from some of the speeches—

M. A. Delamartine, after some general reflections upon the imperial diplomacy, which, he said, in default of reasons made use of *gend'armes*, and tore the pope from the altar of St. Peter's, and the Spanish monarchs from their royal residence at Madrid, entered upon the question before the chamber, and said the only question to be decided was, if we were, or not, debtors of the United States. In his opinion, the debt was established; for during 17 years it has been under examination and discussion, and the only man whom France and the United States could choose as arbiter, general Lafayette, has declared that he most conscientiously believes that thirty millions of francs at least are due to the Americans. (Exclamations of various kinds.) The honorable deputy concluded by saying that the rejection of the project might produce a hostile disposition on the part of the Americans, and lead to the most disastrous results for our commerce.

M. Dupont made some observations with regard to the questions of public right involved in the project of law, which he voted against.

M. Duchatel expressed an opinion similar to that already put forward by some of the preceding speakers—that the advantages reaped by the Americans by the carrying trade during the war between England and France could, under no point of view, be considered as compensation for the injury done to others by the decrees of Milan and Berlin. The debt, he added, was the result of injustice—an injustice not attempted to be denied—an injustice which was not the effect of war, but which was committed in time of peace, for there was no war between France and the United States. On the other hand, the advantages said to be gained by the Americans were not of our creating, but were the results of the good fortune or favorable chance which crowned enterprises where they risked all to gain something. With regard to the importance of the cession of Louisiana, the honorable deputy observed that our rights to that territory was contested, and might not have been eventually recognized. It was therefore not any thing in possession that we gave up; we only abandoned a doubtful law suit; and what did we obtain in exchange?—a real and solid advantage, in a considerable diminution of duties upon our wines, which has led to an immense extension of our commerce. These diminutions have been, according to the various qualities of the wines from 42f. to 30f. from 21f. to 14f. and from 14f. to 8f. and these lessened duties were to have been still further diminished one-half at the end of March, 1834.

[M. Duchatel proceeded further to shew the advantages which France derived from her trade with the United States.]

M. Salvete contended that the arguments drawn from the injury that might ensue to our commerce from the rejection of the protest, appeared to him of no weight. He had, he said, a better opinion of the wisdom of the government of the United States than to suppose it would act lightly in so grave a matter, and in a fit of puerile anger, lay on additional duties on the productions of France—a proceeding which must speedily react upon the prosperity of America herself. Besides added the hon. deputy, the time is passed for waging war by means of custom house officers; duties are no longer imposed out of hatred or anger to foreign countries, but only with a view of encouraging the productions of our own. But continued the hon. deputy, what is to hinder the Americans, after being paid our 25,000,000 francs from excluding, by increased duties, our wines and silks, if they should find it their interest to do so? I do not say that this will be the case, but I merely mention the possibility of such an event, to show you that it is interest that will always regulate the conduct of a people so essentially calculating as the Americans. The hon. deputy, after having reproached the minister for foreign affairs with having designated those who should vote against the project as the cause of any future decline of our manufactures, and any public disorders resulting therefrom, concluded by voting against the project. [Cries of "question, question."]

M. Berryer requested to be allowed to put a question to the minister of foreign affairs, relative to 28 American ships which had been seized in some of the Spanish ports and confiscated. The value of these vessels and their cargoes added the hon. deputy was, according to the minister's statement, 8,000,000 francs, from which sum it figures in the 25,000,000 francs of indemnity; so that we thus give to America 8,000,000 francs, to indemnify her for the loss sustained by the confiscation of her ships by Spain. The hon. deputy proceeded to state that in the

treaty of 1819, between the United States and Spain, all claims relative to these vessels were definitely and positively declared to be given up by America, and Spain for ever discharged from every demand relative to them.

By this arrangement (added the hon. deputy), America transferred the claims she might have had on France, for these prizes, to Spain, and by this treaty definitely arranged them. It therefore appears that these 8,000,000 francs, which are included in the present indemnity, are, according to this arrangement, to be paid twice over.

The minister of foreign affairs said—The answer to M. Berryer's question is very simple. The treaty of which he speaks has nothing to do with the question relative to the ships seized in the Spanish ports of St. Sebastian, Bilbao, and Passage. The history of these seizures is as follows:—On the 10th of February, 1810, an order came to bring these ships to Bayonne from the Spanish ports, where they had been seized, and into which they had been inveigled at the suggestion of the French general then commanding in that part of Spain. These vessels and their cargoes were sold at Bayonne, and the produce of the sale paid into the public treasury. The object of the treaty of 1819 was to liquidate the debts due by Spain to the United States, and not those due by France to America, arising out of facts that happened in Spain, which was then occupied by the French armies.

Mr Berryer again insisted upon his view of the subject.

The minister of foreign affairs replied—Not one of the ships for which an indemnity has been given in the treaty of 1831, now before the chamber, is alluded to by the treaty of 1810, between Spain and the United States. That treaty, therefore, has nothing whatsoever to do with the present question.

M. Mauguin began by expressing a similar opinion to that of M. Berryer, with regard to the vessels seized in Spanish ports, and the treaty of 1819. The hon. deputy, in alluding to what had been asserted in a previous part of the debate, by the minister of foreign affairs, that the government of the restoration was on the point of granting an indemnity to the government of the United States, said he would repeat an expression which, in his opinion, did honor to a man now in misfortune. The hon. deputy stated that being one of the commission charged with interrogating prince Polignac, when confined in the castle of Vincennes, he had heard him in the intervals of examination, when the members of the commission and the fallen minister were engaged in speaking on miscellaneous subjects, say on the American claims being mentioned, "Take care, I have studied that question, and we owe nothing to the United States." I repeat, he uttered this language with so profound a feeling of nationality, that I felt it impossible to resist its impression. I shall add, said the hon. deputy, that in the correspondence relative to the affairs of the east, which I have seen, the sentiments recorded there by prince Polignac, were frank, noble, and altogether worthy of a Frenchman. (Exclamations from the centre.)

The minister of foreign affairs, said that he must regret that the name of prince Polignac was introduced into the discussion. The minister added, that prince Polignac had positively admitted the right of America to an indemnity, and that what he said to M. Mauguin must have been in a general and vague manner, or otherwise would be contradiction with himself.

After a few observations from M. Isambert, which were lost amidst cries of "question," the chamber proceeded to ballot on art. 1. relative to the indemnity of 25,000,000f. The result was as follows:

Number of votes, 344. For the article, 168; against it, 176—8 majority against the article. (Prolonged sensation in the chamber.) At 6 o'clock the chamber rose.

In consequence of this result two of the ministers, the *duc de Broglie*, and gen. *Sebastiani* resigned their places. They had much excited themselves to obtain a different vote. A cabinet council was held at the Tuileries the same evening, and the ministers all present except the two who had sent in their resignations, which, it is said, an effort would be made to induce them to recall; but at the latest moment of the accounts from Paris, it had not been effectual.

It appears that the amount of the claims caused the rejection of the bill—many members having made up their minds that twelve millions of francs was an ample compensation for the real amount of losses sustained.

## PUBLIC DIRECTORS—BANK UNITED STATES.

THE MESSAGE.

Washington, 11th March, 1834.

To the senate:

I nominate Henry D. Gilpin, Peter Wazer and John T. Sullivan, of Philadelphia, and Hugh McElderry, of Baltimore, to be directors in the bank of the United States, for the year 1834.

I disclaim all pretension, of right, on the part of the president, officially to inquire into, or call in question, the reasons of the senate for rejecting any nomination whatsoever. As the president is not responsible to them for the reasons which induce him to make a nomination, so they are not responsible to him for the reasons which induce them to reject it. In these respects, each is independent of the other, and both responsible to their respective constituents. Nevertheless, the attitude in which certain vital interests of the country are placed by the rejection of the gentlemen now renominated, require of me frankly to communicate my views of the consequences which must necessarily follow this act of the senate, if it be not reconsidered.

The characters and standing of these gentlemen are well known to the community, and eminently qualify them for the offices to which I propose to appoint them. Their confirmation by the senate, at its last session, to the same offices, is proof that such was the opinion of them entertained by the senate at that time; and unless something has occurred since to change it, this act may now be referred to as evidence that their talents and pursuits justify their selection.

The refusal, however, to confirm their nominations to the same offices shows that there is something in the conduct of these gentlemen, during the last year, which, in the opinion of the senate, disqualifies them, and as no charge has been made against them as men or citizens, nothing which impeaches the fair private character they possessed when the senate gave them their sanction at its last session; and as it moreover appears from the journal of the senate, recently transmitted for my inspection, that it was deemed unnecessary to inquire into their qualifications or character; it is to be inferred that the change in the opinion of the senate has arisen from the official conduct of these gentlemen. The only circumstances in their official conduct, which have been deemed of sufficient importance to attract public attention, are the two reports made by them to the executive department of the government; the one bearing date the 22d day of April, and the other the 19th day of August last; both of which reports were communicated to the senate by the secretary of the treasury, with his reasons for removing the deposits.

The truth of the facts stated in these reports is not, I presume, questioned by any one. The high character and standing of the citizens by whom they were made prevent any doubt upon the subject. Indeed, the statements have not been denied by the president of the bank, and the other directors. On the contrary, they have insisted that they were authorised to use the money of the bank in the manner stated in the two reports, and have not denied that the charges there made against the corporation are substantially true. It must be taken, therefore, as admitted, that the statements of the public directors, in the reports above mentioned, are correct; and they disclose the most alarming abuses, on the part of the corporation, and the most strenuous exertions, on their part, to put an end to them. They prove that enormous sums were secretly lavished, in a manner, and for purposes, that cannot be justified, and that the whole of the immense capital of the bank has been virtually placed at the disposal of a single individual, to be used, if he thinks proper, to corrupt the press, and to control the proceedings of the government, by exercising an undue influence over elections.

The reports were made in obedience to my official directions; and I herewith transmit copies of my letters calling for information of the proceedings of the bank. Were they bound to disregard the call? Was it their duty to remain silent, while abuses of the most injurious and dangerous character were daily practised? Were they bound to conceal from the constituted authorities a course of measures destructive to the best interests of the country, and intended gradually and secretly to subvert the foundations of our government, and to transfer its powers from the hands of the people to a great moneyed corporation? Was it their duty to sit in silence at the board, and witness all these abuses, without an attempt to correct them; or, in case of failure there, not to appeal to higher authority? The eighth fundamental rule authorises any one of the directors, whether elected or appointed, who may have been absent when an access of debt was created, or who may have dissented from the act, to exonerate himself from personal responsibility by giving notice of the fact to the president of the United States; thus recognizing the propriety of communicating to that officer the proceedings of the board in such cases. But, independently of any argument to be derived from the principle recognized in the rule referred to, I cannot doubt for a moment that it is the right and the duty of every director at the board to attempt to correct all illegal proceedings, and, in case of failure, to disclose them; and that every one of them, whether elected by the stockholders or appointed by the government, who had knowledge of the facts and concealed them, would be justly amenable to the severest censure.

But in the case of the public directors it was their peculiar and official duty to make the disclosures: and the call upon them for information could not have been disregarded without a flagrant breach of their trust. The directors appointed by the United States cannot be regarded in the light of the ordinary directors of a bank appointed by the stockholders, and charged with the care of their pecuniary interests in the corporation. They have higher and more important duties. They are public officers. They are placed at the board not merely to represent the stock held by the United States, but to observe the conduct of the corporation, and to watch over the public interests. It was foreseen that this great moneyed monopoly might be so managed as to endanger the interests of the country: and it was therefore deemed necessary, as a measure of precaution, to place at the board watchful sentinels, who should observe its conduct, and stand ready to report to the proper officers of the government every act of the board which might affect injuriously the interests of the people.

The whole frame of the charter, as well as the manner of their appointment, proves this to be their true character. The United States are not represented at the board by these directors merely on account of the stock held by the government. The

right of the United States to appoint directors, and the number appointed, do not depend upon the amount of the stock; for if every share should be sold, and the United States cease to be a stockholder altogether, yet, under the charter, the right to appoint five directors would still remain. In such a case, what would be the character of the directors? They would represent no stock and be chosen by no stockholder. Yet they would have a right to sit at the board; to vote on all questions submitted to it; and to be made acquainted with all the proceedings of the corporation. They would not, in such a case, be ordinary directors chosen by the stockholders in proportion to their stock. But they would be public officers appointed to guard the public interests; and their duties must conform to their office. They are not the duties of an ordinary director chosen by a stockholder; but they are the peculiar duties of a public officer, who is bound on all occasions to protect, to the utmost of his lawful means, the public interests; and where his own authority is not sufficient to prevent the injury, to inform those to whom the laws has confided the necessary power. Such, then, is the character, and such are the duties, of the directors appointed by the United States, whether the public be stockholders or not. They are officers of the United States, and not the mere representatives of a stockholder.

The mode of their appointment, and their tenure to office, confirm this position. They are appointed, like other officers of the government, and by the same authority. They do not hold their offices irrevocably a year after their appointment; on the contrary, by the express terms of the law, they are liable to be removed from office at any time by the president, when in his judgment the public interest shall require it. In every respect, therefore, in which the subject can be considered, it is evident that the five directors, appointed by the United States are to be regarded as public officers; who are placed there in order to observe the conduct of the corporation, and to prevent abuses which might otherwise be committed.

Such being the character of the directors appointed on behalf of the United States, it is obviously their duty to resist, and in case of failure to report to the president, or to the secretary of the treasury, any proceedings of the board by which the public interest may be injuriously affected. The president may order a scire facias against the bank, for a violation of its charter; and the secretary of the treasury is empowered to direct the money of the United States to be deposited elsewhere, when, in his judgment, the public interest require it to be done. The directors of this bank, like all others, are accustomed to sit with closed doors, and do not report their proceedings to any department of the government. The monthly return, which the charter requires to be made to the treasury department, gives nothing more than a general statement of its pecuniary condition; and of that but an imperfect one. For, although it shows the amount loaned at the bank and its different branches, it does not show the condition of its debtors, nor the circumstances under which the loans were made. It does not show whether they are in truth accommodations granted in the regular and ordinary course of business, upon fair banking principles, or from other motives. Under the name of loans, advances may be made to persons notoriously insolvent, for the most corrupt and improper purposes; and a course of proceeding may be adopted, in violation of its charter, while upon the face of its monthly statement, every thing would appear to be fair and correct.

How, then, is the executive branch of the government to become acquainted with the official conduct of the public directors, or the abuses practised by the corporation for its private ends, and in violation of its duty to the public? The power of displacing the public directors, and that of issuing a scire facias, and of removing the deposits, were not intended to be idle and nugatory provisions, without the means of enforcement. Yet they must be wholly inoperative and useless, unless there be some means by which the official conduct of the public directors, and the abuses of power on the part of the corporation, may be brought to the knowledge of the executive department of the government.

Will it be said, that the power is given to the secretary of the treasury to examine, himself, or by his authorised agent, into the conduct and condition of the bank? The answer is obvious. It could not have been expected or intended that he would make an examination, unless information was first given to him which excited his suspicions; and if he did make such a general examination, without previous information of misconduct, it is most probable, that in the complex concerns and accounts of a bank, it would result in nothing, whatever abuses might have been practised.

It is, indeed, the duty of every director to give information of such misconduct on the part of the board. But the power to issue a scire facias, and to remove the deposits, presupposes that the directors elected by the stockholders might abuse their power; and it cannot be presumed that congress intended to rely on these same directors to give information of their own misconduct. The government is not accustomed to rely on the offending party to disclose his offence. It was intended that the power to issue a scire facias, and remove the deposits, should be real and effective. The necessary means of information were therefore provided in the charter; and five officers of the government appointed, in the usual manner, responsible to the public and not to the stockholders, were placed as sentinels at the board, and are bound, by the nature and character of their office, to resist, and, if unsuccessful, to report to the pro-

per authority every infraction of the charter, and every abuse of power, in order that due measures should be taken to punish or correct it; and, in like manner, it is their duty to give, when called upon, any explanation of their own official conduct touching the management of the institution.

It was, perhaps, scarcely necessary to present to the senate these views of the power of the executive, and of the duties of the five directors appointed by the United States. But the bank is believed to be now striving to obtain for itself the government of the country; and is seeking, by new and strained constructions, to wrest from the hands of the constituted authorities the salutary control reserved by the charter. And, as misrepresentation is one of its most usual weapons of attack, I have deemed it my duty to put before the senate, in a manner not to be misunderstood, the principles on which I have acted.

Entertaining, as I do, a solemn conviction of the truth of these principles, I must adhere to them, and act upon them with constancy and firmness.

Aware, as I now am, of the dangerous machinations of the bank, it is more than ever my duty to be vigilant in guarding the rights of the people from the impending danger. And I should feel that I ought to forfeit the confidence with which my countrymen have honored me, if I did not require regular and full reports of every thing in the proceedings of the bank, calculated to affect injuriously the public interests, from the public directors. And, if the directors should fail to give the information called for, it would be my imperious duty to exercise the power conferred on me by the law, of removing them from office, and of appointing others who would discharge their duties with more fidelity to the public. I can never suffer any one to hold office under me who would connive at corruption, or who should fail to give the alarm, when he saw the enemies of liberty endeavoring to sap the foundations of our free institutions, and to subject the free people of the United States to the dominion of a great moneyed corporation.

Any directors of the bank, therefore, who might be appointed by the government, would be required to report to the executive as fully as the late directors have done, and more frequently, because the danger is more imminent: and it would be my duty to require of them a full detail of every part of the proceedings of the corporation, or any of its officers, in order that I might be enabled to decide whether I should exercise the power of ordering a *scire factus*, which is reserved to the president by the charter, or adopt such other lawful measures as the interests of the country might require. It is too obvious to be doubted that the misconduct of the corporation would never have been brought to light by the aid of a public proceeding at the board of directors. The board, when called on by the government directors, refused to institute an inquiry, or require an account; and the mode adopted by the latter was the only one by which the object could be attained. It would be absurd to admit the right of the government directors to give information, and, at the same time, deny the means of obtaining it. It would be but another mode of enabling the bank to conceal its proceedings, and practice, with impunity, its corruptions. In the mode of obtaining the information, therefore, and in their efforts to put an end to the abuses disclosed, as well as in reporting them, the conduct of the late directors was judicious and praiseworthy; and the honesty, firmness and intelligence which they have displayed, entitle them, in my opinion, to the gratitude of the country.

But, if I do not mistake the principles on which the senate have recently rejected them, the conduct which I deem worthy of praise, they treat as a breach of duty; and, in their judgment, the measures which they took to obtain the information, and their efforts to put an end to the practices disclosed, and the reports they have made to the executive, although true in all their parts, are regarded as an offence, and supposed to require some decisive mark of strong disapprobation.

If the views of the senate be such as I have supposed, the difficulty of sending to the senate any other names than those of the late directors, will be at once apparent. I cannot consent to place before the senate the name of any one who is not prepared, with firmness and honesty, to discharge the duties of a public director, in the manner they were fulfilled by those whom the senate have refused to confirm. If, for performing a duty lawfully required of them by the executive, they are to be punished by the subsequent rejection of the senate, it would not only be useless, but cruel, to place men of character and honor in that situation, if even such men could be found to accept it. If they failed to give the required information, or to take proper measures to obtain it, they would be removed by the executive. If they gave the information, and took proper measures to obtain it, they would, upon the next nomination, be rejected by the senate. It would be unjust, in me, to place any other citizens in the predicament in which this unlooked for decision of the senate has placed the estimable and honorable men who were directors during the last year.

If I am not in error in relation to the principles upon which these gentlemen have been rejected, the necessary consequence will be that the bank will hereafter be without government directors, and the people of the United States must be deprived of their chief means of protection against its abuses: for whatever conflicting opinions may exist as to the right of the directors, appointed in January, 1833, to hold over until now appointments shall be made, it is very obvious that, whilst their rejection by the senate remains in force, they cannot, with propriety, attempt to exercise such a power. In the present state of

things, therefore, the corporation will be enabled effectually to accomplish the object it has been so long endeavoring to obtain. Its exchange committees, and its delegated powers to its president, may hereafter be dispensed with, without incurring the danger of exposing its proceedings to the public view. The sentinels which the law had placed at its board can no longer appear there.

Justice to myself and to the faithful officers by whom the public has been so well and so honorably served, without compensation or reward, during the last year, has required of me this full and frank exposition of my motives for nominating them again, after their rejection by the senate. I repeat, that I do not question the right of the senate to confirm or reject at their pleasure; and if there had been any reason to suppose that the rejection in this case had not been produced by the causes to which I have attributed it, or if my views of their duties, and the present importance of their rigid performance, were other than they are, I should have cheerfully acquiesced, and attempted to find others who would accept the unenviable trust. But I cannot consent to appoint directors of the bank to be the subservient instruments, or silent spectators, of its abuses and corruptions; nor can I ask honorable men to undertake the thankless duty, with the certain prospect of being rebuked by the senate for its faithful performance in pursuance of the lawful directions of the executive.

I repeat that I do not claim a right to inquire into, or officially to censure, the acts of the senate. But the situation in which the important interests of the American people, vested in the bank of the United States, and affected by its arrangements, must necessarily be left by the rejection of the gentlemen now renominated, has made it my duty to give this explanation to the senate, and submit the matter to their reconsideration. If it shall be determined by the senate that all channels of information, in relation to the corrupt proceedings of this dangerous corporation, shall be cut off, and the government and country left exposed to its unrestrained machinations against the purity of the press, and public liberty, I shall, after having made this effort to avert so great an evil, rest, for the justification of my official course, with respectful confidence, on the judgment of the American people.

In conclusion, it is proper I should inform the senate that there is now no government director appointed for the present year: Mr. Bayard, who was nominated and confirmed by the senate, having refused to accept that appointment.

ANDREW JACKSON.

REPORT OF THE COMMITTEE OF FINANCE ON THE MESSAGE:  
In senate, May 1, 1834.

Mr. Tyler, from the committee on finance, to which was referred the message of the president of the 11th of March, renominating Henry D. Gilpin, Peter Wager, John T. Sullivan and Hugh McElerry, as directors of the bank of the United States, submitted the following report:

The committee have bestowed upon the subject the reflection which respect for the chief magistrate would at all times command. The president, at an early day of the session, submitted the nomination to the senate, of five persons, as directors of the bank of the U. States. To one of these nominations the senate assented; and the person nominated was appointed. In regard to the four others, being the same persons now renominated to the senate, no definitive decision was made until the 27th day of February, when they were each separately rejected by ayes and noes. The subjects, in the mean time, with which these nominations were in some degree connected, had undergone a full and elaborate discussion in the senate. The decision, therefore, was well calculated to satisfy the president that the senate entertained decisive objections to the confirmation of these four persons; and the journals of which the president usually sees a copy, could not fail to show that each and every one of them was rejected by a clear majority of the whole senate. The precise character of the objections taken by each and every member of the majority, or even the general character of such objections, it would be presumptuous in the committee to attempt to ascertain. They cannot be expected to go into private conference with members, and to interrogate either those of the majority or minority, upon this or any other question, as to the reasons of their votes. It must be obvious that from the constitution of the senate; from the manner of its proceedings; from the absolute right of every member to vote for or against particular nominations for reasons of his own, whether others concur with him in those reasons or not, the grounds of the votes of individual members can never be set forth, nor authentically known. The committee cannot undertake any inquiry into such grounds of individual opinion; nor do they know any form in which the senate itself, if it were so inclined; could compel individuals to state the reasons of their votes. The committee, therefore, do not suppose it proper for the senate by any proceeding to be adopted on its part, to undertake to set forth the reasons of members for rejecting these persons. It is enough that the senate in the exercise of an unquestionable constitutional right has refused its advice and consent to the nominations. This has been officially certified to the president, and the committee think there is no ground for further inquiry.

The president declines, indeed, in terms, all right to inquire into the reasons of the senate for rejecting any nomination; and yet the message immediately undertakes to infer, from facts and circumstances, what those reasons, which influenced the se-

name in this case, must have been, and goes on to argue, much at large, against the validity of such supposed reasons. The committee are of opinion, that if, as the president admits, he cannot inquire into the reasons of the senate for refusing its assent to nominations, it is still more clear that those reasons cannot, with propriety, be assumed, and made subjects of comment.

In cases in which nominations are rejected, for reasons affecting the character of the persons nominated, the committee think that no inference is to be drawn, except what the vote shows; that is to say, that the senate withholds its advice and consent from the nominations. And the senate, not being bound to give reasons for its votes, in these cases, it is not bound, nor would it be proper for it, as the committee think, to give any answer to remarks founded on the presumption of what such reasons must have been, in the present case. They feel themselves, therefore, compelled, to forego any response whatever to the message of the president, in this particular, as well by the reasons before assigned, as out of respect to that high officer. The president acts upon his own views of public policy, in making nominations to the senate; and the senate does no more when it confirms or rejects such nominations. For either of these co-ordinate departments to enter into the consideration of the motives of the other would not, and could not fail, in the end, to break all harmonious intercourse between them. This, your committee would deplore as highly injurious to the best interests of the country. The president, doubtless, asks himself, in the case of every nomination for office, whether the person be fit for the office; whether he be actuated by correct views and motives; and whether he be likely to be influenced by those considerations which should alone govern him in the discharge of his duties; is he honest, capable and faithful? Being satisfied in these particulars, the president submits his name to the senate, where the same inquiries arise, and its decision should be presumed to be dictated by the same high considerations as those which govern the president, in originating the nomination. For these reasons, the committee have altogether refrained from entering into any discussion of the legal duties and obligations of directors of the bank appointed by the president and senate, which form the main topic of the message.

The committee would not feel that it had fully acquitted itself of its obligations, if it did not avail itself of this occasion to call the attention of the senate to the general subject of renomination.

The committee do not deny that a right of renomination exists; but they are of opinion, that in very clear and strong cases only, should the senate reverse decisions which it has deliberately formed and officially communicated to the president. In military and naval appointments it is possible that questions, not of personal fitness for office, but of the right of individuals to rank and grade, may arise between the president and senate; and that nominations may be rejected, pending such questions, which might properly be renewed under other laws, or a new state of circumstances. And in regard, too, to diplomatic appointments, the question may, perhaps, sometimes turn, not on the fitness of the person nominated, but on the propriety of any appointment, or of any such mission as is proposed. If new information should be given, shedding new light satisfactory to the senate, in such case it may be a proper reason for agreeing to nominations once rejected; nor will the committee say that there may not be other cases in which a person once rejected may be properly again presented to the senate. But the committee think that in a case in which the decision of the senate has been deliberately made upon the sole question of the fitness of the persons for the offices to which they are nominated, and its assent has been withheld, it ought not, without very strong and clear reasons, to change that decision upon a renomination. The committee has caused the journals of the senate to be examined in reference to the practice of renomination, and they find that, during the presidential terms of general Washington, Mr. John Adams and Mr. Jefferson, no instance of renomination to office once occurred; and yet there are not wanting instances of the rejection of nominations made by those illustrious citizens, the motives for which it would be difficult now to ascertain. To illustrate this, it is only necessary to select the case of colonel Fishburn, a gallant soldier of the revolution, who was nominated by general Washington as the collector of Savannah, and were rejected by the senate. And, although the president was obviously mortified by the decision, the nomination having been made in a great measure upon his personal knowledge of the individual, he contented himself, after the rejection, with addressing a letter to the senate, containing his reasons for the nomination of colonel Fishburn, and accompanied that message with the name of another individual.

During the administration of Mr. Madison two instances occur of renominations of the same persons to the same offices to which they had originally been nominated. Abraham Quackenbush was nominated as an ensign and rejected—renominated and confirmed. And George Brown was nominated a collector for the first collection district of Maryland; and after a rejection was renominated and confirmed. What reasons influenced the president to pursue this course in the two instances referred to, or the senate to concur in it, the committee have no means of ascertaining. During the administration of Mr. Monroe, the instances of renomination became more frequent; but several of them were nominations to military appointments,

and, in a majority of the cases, no direct vote rejecting the nominations had passed the senate. The cases of renomination by Mr. Monroe, after a rejection, were James Gadsden, as adjutant general, and Nathan Towson, as colonel; Charles Vandeventer, as navy agent, and Duff Green, as receiver; all of which were rejected on their renomination. The two first nominations were purely military; and involved an interesting and difficult question of grade, and in the opinion of the president, called for the most minute and elaborate investigation. What motives impelled to the renomination of the two last, the committee cannot undertake to say. During the four years of Mr. J. Q. Adams' administration, no instance of renomination appears to have occurred; unless the nomination of Amos Binnick, whose nomination previously made by Mr. Monroe, had been postponed, and that of Peter Sally, whose nomination by Mr. Monroe, had been laid upon the table at the last day of the session, and who, at the commencement of the succeeding executive session, was again presented to the senate, are to be considered as renominations. Since the 3d of March, 1829, four instances of renominations, after rejection by the senate, have occurred. In two of these instances, the persons renominated were again rejected; in the third the nomination was agreed to; and the fourth is the case now before us.

The committee perceive, with regret, an intimation in the message that the president may not see fit to send to the senate the names of any other persons to be directors of the bank except those whose nominations have been already rejected. While the senate will exercise its own rights, according to its views of its duty, it will leave to other officers of the government to decide for themselves on the manner they will perform their duties. The committee know no reason why these offices should not be filled, or why, in this case, no further nomination should be made, after the senate has exercised its unquestionable right of rejecting particular persons who have been nominated, any more than in other cases. The senate will be ready, at all times, to receive and consider any such nominations as the president may present to it. It claims no authority to control him in his nominations, but it cannot surrender the exercise of its own right of deciding for itself on the propriety of advising and consenting to appointments to office. It cannot deprive itself of its own powers; it cannot surrender its own constitutional character; it cannot, through apprehension of any consequences whatever, forbear from exercising its high duty of giving or of refusing its advice or consent to nominations of the president, in all cases, according to its conscientious sense of its own obligations to the constitution and to the country. If these offices of bank directors remain unfilled, the fault will not be the fault of the senate. The case is like other cases of rejection. In other cases, other persons have been nominated in place of those rejected by the senate, and confirmed; and, if a different course shall be adopted on this occasion, it is a course for which the senate cannot be responsible.

Their power of withholding their assent from the president's nominations is not altogether vain and nugatory; it was given them by the constitution to be exercised in proper cases, and in their own discretion. When exercised by them, the rights of no other branch of the government are infringed or impaired; the senate has only done its own duty, and, having done this honestly and conscientiously, it cannot fear any consequences.

The committee recommend that the senate do not advise and consent to the appointment of the persons thus renominated.

The "National Intelligencer," of the 5th instant, contains nearly two columns of extracts from the executive proceedings of the senate on the nomination and renomination of the directors of the bank—of which, perhaps the following notices may be sufficient.

On the 17th December, 1833, the president nominated James A. Bayard, of Delaware, a director in the place of Sant Alley, and nominated Peter Wager, Henry D. Gilpin and John T. Sullivan, of Philadelphia, and Hugh McElderry, of Baltimore, for reappointment.

On the 19th January, 1834, the committee of finance made a report on the subject, and on the 21st the senate advised and consented to the appointment of Mr. Bayard. [The yeas and nays are not given—but we understand that Mr. B. was very generally approved.]

On the 23d January, there was a debate concerning the other persons nominated.

Again on the 10th of February when—

Mr. Kane submitted the following motion:

Resolved, That the nominations of H. D. Gilpin, John T. Sullivan, Peter Wager and Hugh McElderry, be recommended to the committee on finance, with instructions to inquire into their several qualifications and fitness for the stations to which they have been nominated; also into the truth of all charges preferred by them against the board of directors of the bank of the United States, and into the conduct of each of the said nominees during the time he may have acted as director of the said bank; and that the said nominees have notice of the times and places of meetings of said committee, and have leave to attend the same.

On the question to agree thereto,

It was determined in the negative—yeas 20, nays 28.

On motion of Mr. Forsyth.

The yeas and nays being desired by one-fifth of the senators present.

Those who voted in the affirmative, are,

Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, Linn, McKean, Moore, Morris, Rives, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright. Those who voted in the negative, are, Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, King, of Geo. Knight, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster.

So the resolution was disagreed to. On the 24th February, the nominations were further considered.

On the 27th—Mr. Morris submitted the following resolution: *Resolved*, That the nominations of H. D. Gilpin, Peter Wager, John T. Sullivan and Hugh McElderry, be again referred to the committee on finance, with instructions to inquire whether any objections whatever exist, either against their characters or qualifications to act as directors of the bank of the U. States.

On the question to agree thereto, It was determined in the negative—yeas 18, nays 27. The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative, are, Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alab. Linn, McKean, Moore, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright.

Those who voted in the negative, are, Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster.

So the resolution was rejected. On the question, "will the senate advise and consent to the appointment of Peter Wager?"

It was determined in the negative—yeas 20, nays 25. The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative, are, Messrs. Benton, Black, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alab. Linn, McKean, Moore, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright.

Those who voted in the negative, are, Messrs. Bell, Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster.

[The same questions being propounded as to the other gentlemen, Mr. Gilpin was disapproved of 24 to 20; Mr. Sullivan 27 to 18, and Mr. McElderry 25 to 20.]

On the 11th of March the preceding message renominating the rejected gentlemen, was received and read. It was further considered on the 22d, and referred to the committee on finance.

May 1, the committee on finance made the report inserted above. After which—

The senate proceeded to consider the message renominating Henry D. Gilpin, and others, as bank directors.

On the question, "will the senate advise and consent to the appointment of Henry D. Gilpin, Peter Wager, John T. Sullivan and Hugh McElderry?"

It was determined in the negative, yeas 11, nays 30. The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative, are, Messrs. Brown, Forsyth, Grundy, Hendricks, Hill, King, of Alab. Linn, Robinson, Shepley, White, Wright.

Those who voted in the negative, are, Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, King, of Geo. Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tipton, Tomlinson, Tyler, Waggaman, Webster.\*

So it was *Resolved*, That the senate do not advise and consent to the appointment of Henry D. Gilpin, Peter Wager, John T. Sullivan, of Philadelphia, and Hugh McElderry, of Baltimore, as directors of the bank of the United States.

Mr. Forsyth submitted the following resolution: *Resolved*, That the injunction of secrecy be removed from all the proceedings of the senate in relation to the nomination and renomination of the directors of the bank of the United States.

On motion, by Mr. Wright, to amend the same, by inserting after the word "senate," the words and the debates—

It was determined in the negative—yeas 8, nays 31. On motion by Mr. Wright,

The yeas and nays being desired by one-fifth of the senators present,

Those who voted in the affirmative, are, Messrs. Brown, Forsyth, Hill, Linn, Robinson, Shepley, Tipton, Wright.

\* Absent on this occasion—Mr. Knight, of R. I. not in the city; Mr. Tallmadge, of New York, Messrs. Wilkins and McKean, of Pennsylvania; Mr. Morris, of Ohio; Mr. Kane, of Illinois; Mr. Benton, of Missouri. The last six are friends of the administration. No reason is assigned why they did not vote on this occasion.

Those who voted in the negative, are, Messrs. Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Grundy, Hendricks, Kent, King, of Alab. Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster, White, Wilkins.

So the motion to amend was rejected. The resolution was then agreed to.

May 2, 1834. On motion by Mr. Webster. *Resolved*, That the secretary of the senate be authorised to give extracts from the executive journal of the proceedings of the senate in relation to the nomination and renomination of the directors of the bank of the United States for the year 1834.

On motion by Mr. Preston, *Resolved*, That two thousand copies of the president's message of March 11, 1834, nominating certain bank directors, and the report of the committee thereon, together with the proceedings of the senate on the first and second nomination of said directors, be printed.

BANK OF THE UNITED STATES.

We have obtained the following authentic memorandum, exhibiting the progress of the bank, since the removal of the deposits. At the present moment, it possesses peculiar interest.

	Loans.	Public deposits.	Private deposits.	Private deposits.
Oct. 1,	60,094,292 93	9,868,435 58	8,008,852 78	
Nov. 1,	57,210,604 38	8,932,311 18	7,285,041 88	
Dec. 1,	54,453,104 67	5,162,260 63	6,827,173 10	
Jan. 1,	54,911,461 70	4,930,509 63	6,734,666 06	
Feb. 1,	54,842,973 64	3,066,561 72	6,715,312 60	
March 1,	56,167,839 86	2,604,233 62	7,343,129 92	
April 1,	54,806,817 62	2,932,866 74	7,166,028 21	
May 1,	53,756,485 18	3,251,354 64	7,022,820 10	

	Circulation.	Specie.	Debts and notes of state banks.
Oct. 1,	19,123,189 57	10,663,441 51	4,719,972
Nov. 1,	18,518,000 57	10,342,160 46	4,489,217
Dec. 1,	18,650,912 90	9,818,529 25	4,083,258
Jan. 1,	19,205,379 90	10,031,237 72	3,519,365
Feb. 1,	19,260,472 90	10,523,385 69	3,211,385
March 1,	18,523,189 00	10,385,439 15	2,035,965
April 1,	17,521,264 39	10,180,008 76	2,195,489
May 1,	16,604,147 90	11,183,774 54	3,094,787

The following is a general view of the resources and responsibilities of the bank on the 1st of May, 1834—

Circulation	16,604,147
Deposits	10,274,165
Unclaimed dividends	80,254
	<b>26,958,566</b>

To meet which there is—

Specie	\$11,183,774
Notes of state banks	1,706,104
Balances do.	1,388,683
Funds in Europe	3,094,787
Real estate	1,650,530
Loans	2,909,076
Domestic bills	\$35,212,231
Mortgages, &c.	18,544,253
	87,141
Due by the United States	53,843,625
	164,110
	<b>72,845,892</b>

Stockholders	45,887,325
	35,000,000
Surplus	\$10,887,325

The results to be deduced from this statement are equal curious and important: 1st. The total amount of the reduction of the loans since the 1st of October, the time of the removal of the deposits, is 6,337,717 75 While the total reduction of the deposits is of public deposits 6,617,089 94 of private deposits 986,042 68

Making an aggregate of	7,603,132 62
2d. The total reduction of the notes in circulation is	2,594,041 67
3d. The increase of the specie is	520,333 03
4th. The specie of the bank is now \$11,183,774 54 The notes and debts of other banks 3,094,787 00	14,278,561 54
While the notes in circulation amount to	16,604,147 90
There are other and more important considerations presented by this statement—	
1st. The bank of the United States has now outstanding debts from individuals, amounting to	\$53,756,485 18
And from banks, amounting to	3,094,787 00

Making a total of \$56,851,272 18 The charter has yet twenty-two months to run—so that in order to close its concerns, at the end of that term, the reduction must be at the rate of two millions and a half every month. 2d. Nothing shows more clearly the strength of the bank than its present condition.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

It will be seen by our journal that the general appropriation bill has passed the house of representatives and been read, &c. in the senate. The proceedings on some of its items are very animated and highly interesting. It received its third reading in the house at about 1 o'clock on Friday night, or rather Saturday morning, after a very arduous session. The fate of this bill in the senate is very uncertain, but it is believed that many amendments, which failed in the other house, will be made to it.

It will be seen that a resolution offered by Mr. *Selden*, of New York, to appoint a grand committee to take into consideration the state of the currency, failed only by the casting vote of the speaker. It is reported that another serious attempt will be made to restore confidence and relieve the pressure on the public—which, if it fails, will be followed by a general disposition on the part of the opposition to adjourn, forthwith; that the members may see and commune with the people, and meet again in *November* next, better prepared to act on the subject.

In the wreck of public confidence, it is impossible that the body of the people should be able to make just discriminations—and one evil is the beginning of many. The late failure of the "Maryland Savings Institution," caused a severe run upon the *Savings bank of Baltimore*, an old and old fashioned establishment, *really doing business for the benefit of the industrious and economical poor*, without pecuniary profit or the hope of reward to the managers thereof; and which, from the nature of its operations, it is hardly possible should fail to meet all its engagements—*never having yet lost one dollar out of the many millions of savings which have passed through it*. A sudden demand, however, might embarrass even the bankers *Rothschild*. But the available credits or funds, of this bank were abundantly equal to the emergency, and any amount of assistance might have been had from another institution that was as able as willing to afford it, to this well managed and truly meritorious charity, if so it may be called, for the benefit which it confers on the working people. We are informed, that many who withdrew their deposits early in the morning, restored them before the closing of the bank; and it is probable that on Monday (the only day that this bank is open) the greater part of the sum drawn out will be replaced, where we think that it is quite as safe as in any man's double-locked *iron* chest, to say nothing of the *risk and temptation* that attends persons not used to the possession of considerable sums of money in their pockets; and we hope that all those who have provided something for "a rainy day" will *save* it, in the Savings bank. When that goes—all's gone—and credit will have "perished," indeed!

We publish the able speech of Mr. *Lincoln*, (who has changed places with Mr. *Davis*, as governor of Massachusetts and representative in congress, at the call of the people, in both cases) on the concerns of the general post office. It will be read with much interest. It was, *until recently*, the greatest evil which beset the American public, that the postmaster general was made a member of "the cabinet," and that party political preferences were introduced into the concerns of this department of the government. It ought to have remained as free from them as the judicial establishment! It is to the lasting credit of Mr. *McLean*, the predecessor of Mr. *Barry*, that he decidedly rejected them.

The whole business of this department "cries aloud" for "reform"—*real reform*. The mere money that is apparently wasted, is nothing; but the organization of its officers, into political agents in numerous instances, cannot be too severely reprehended, or carefully guarded against. We have suffered much by the sheer incompetency or rank dishonesty of some of the deputy post-

masters. We care not who is *in* or who is *out*; but desire that capable and worthy men may be continued or appointed, without regard to any thing beyond a faithful performance of their several duties!

We meet with the following extract from judge *Story's* "commentaries," and cannot refrain from giving it a place—it was not written with a view to any existing state of things, though many may think that it was, from the closeness of its application to circumstances as they are:

"The great anomaly in the system is the enormous patronage of the postmaster general, who is invested with the sole and exclusive authority to appoint and remove all deputy postmasters; and whose power and influence have thus, by slow degrees, accumulated, until it is, perhaps, not too much to say, that it *rivals, if it does not exceed, in value and extent, that of the president himself*. How long a power so vast, and so accumulating, shall remain without any check on the part of any other branch of the government, is a question for statesmen and not for jurists. But it cannot be disguised that it will be idle to impose constitutional restraints upon high executive appointments, *if this power, which pervades every village of the republic, and exerts an irresistible, though silent, influence in the direct shape of office, or in the no less insidious form of lucrative contracts, is suffered to remain without scrutiny or rebuke*. It furnishes no argument against the interposition of a check, which shall require the advice and consent of the senate to appointments, that the power has not hitherto been abused. In its own nature, the post office establishment is susceptible of abuse to such an alarming degree; the whole correspondence of the country is so completely submitted to the fidelity and integrity of the agents who conduct it; and the means of making it subservient to mere state policy are so abundant, that the only surprise is that it has not already awakened the public jealousy, and been placed under more effectual control. It may be said, without the slightest disparagement of any officer who has presided over it, **THAT IF EVER THE PEOPLE ARE TO BE CORRUPTED, OR THEIR LIBERTIES ARE TO BE PROSTRATED, THIS ESTABLISHMENT WILL FURNISH THE MOST FACILE MEANS; AND BE THE EARLIEST EMPLOYED TO ACCOMPLISH SUCH A PURPOSE.**"

The following also presents itself to us in one of the newspapers—it offers a picture that is too true:

The post office department of Great Britain, during the last ten years, has not sustained any loss by the defalcation of postmasters. What a reflection on our department, where these things have now become of almost daily occurrence, owing to the selection of persons for their devotion to "the party," without consulting character and honor.

Party has been oftentimes called "the madness of the many for the benefit of the few"—and so, indeed, it frequently is, even when rallied on a real or honestly believed in attachment to acknowledged *principles*, or established rules of action: but when built upon *personal* preferences or *personal* dislikes, "madness" stands confessed, and reason appeals to the understanding in vain. Every thing is carried by discordant and senseless noises; and thousands, after having exhausted the strength of their lungs and limbs, find themselves in the condition of poor *Cuffee*, when informed that it was *not* the rev. Mr. *Whitfield* who was preaching to the multitude of which he was a member; and they know and feel that they have committed very foolish, if not mischievous or wicked extravagancies, in the "madness" which had held dominion over their passions, and captivated their judgment.\*

\*Such immense crowds of persons attended to hear the preachings of Mr. *Whitfield*, that thousands, on some occasions, could not either hear nor see him; but they waited with the hope of catching some of the words that fell from his richly gifted lips. On one of these occasions, on the outer edge of the multitude, a black man was observed to be vociferating loudly and rolling himself on the ground, in a high excitement, when one of his acquaintances demanded "what was all that for?" The other spoke of it as the effect of the preaching of Mr. *W.* "Why you fool," said the first, "it is not Mr. *Whitfield* at all; he couldn't come, and Mr. — is preaching in his place." "What," exclaimed *Cuffee*, brushing his clothes, "all this for nothing?" or words to this effect, as the story goes.

Look at a political gathering, and you will see very many persons precisely in the state of this negro. They applaud or reject persons addressing them, without hearing or understand-

We pretend not to a total exemption from the state that we have briefly described—but, in the habit of reading, and of *endeavouring* to look at both sides of a question, and of regarding men as subordinate to *measures*, whether approved or rejected, we have been enabled, sometimes, at least, to separate persons from things, and place the merit or demerit of individual action on the character of the matter suggested or performed; and though an act may be condemned by our judgment, it is still possible, very possible, that the *motive* which led to it may relieve the actor from personal blame: and this happens the more easily from a serious conviction that, not having had "a view of the whole ground," or incapable, perhaps, of viewing it as we ought—after-events have demonstrated not only that the motive was honest, but that the thing itself was "necessary and proper" to be done, though it had not been so regarded by us.

With all the checks which such habits of thinking are calculated to furnish, and a certain degree of experience, we shall not deny that circumstances, (unapparent to others, in certain cases), have led, and may lead us, into indiscretions, even when writing about things—always legitimate subjects of discussion; but unless on the defensive, we still wish to respect persons, except notoriously base or desperately wicked—or stupidly ignorant of things over which they have, and exert, an unhappy and baneful influence. And even then, violence is not the indispensable precursor of victory!

We trust too, that we can make reasonable allowances even for the dominion of party—for, in early life, we honestly believed that gun-boats were the "sovereignest things in all this world" to batter ships-of-the-line into atoms! This was the "madness" of party in the many; but the now almost universally regarded European *object* of the influence that led us into that "madness," was a long time hidden from the view of those over whom it had nearly an absolute control; and so it may be with some, in the present state of affairs, on another and much more important subject. We have long since thought that those who started the gun-boat system had not much faith in the ability of such boats to resist ships-of-the-line—and now believe that those who organized the present opposition to the bank of the United States, never entertained an idea that a sound and convenient and wholesome currency would be sustained without the aid of a bank of the United States. Indeed, the president said that he would himself have furnished a plan for one, had he been called on for it—though now utterly opposed to any one, and demanding the establishment of a specie currency, only. The personal popularity of president Jefferson built up a fleet of "whiggle-whaggle" gun-boats—but that "experiment" cost us only a trifle, and became a subject for merriment long before the boats themselves were rotten: the personal popularity of president Jackson has so far supported his "experiment" on the currency and business of the country—but this has already cost the nation hundreds of millions on account of labor unemployed and property wasted—and plunged the whole people, as it were, from a state of unrivalled prosperity into one of unprecedented adversity—a condition far more oppressive than the season of war through which we recently passed—unless, indeed, this oppression may be compared with that which ensued after the war, for the want of such a national currency as the president seems resolved to destroy!\* The dominion of the "rag barons" at the time we are just speaking of, was not a party question—nor should the present opera-

ing a single word that is said—performing either operation by the direction of some who act as figlemons on such occasions. This is a great misfortune, and the fulness of party spirit. It agrees, as it were, that some cannot do anything right—that others cannot do anything that is wrong.

\*We beseech those who passed through the period alluded to, to look back, and call to recollection the wide ruin that prevailed, the cruel changes of property that took place, the destitution of the laboring poor, and the agrandizement of the rich, who had money, and prudently speculated in real estate, or stocks of the United States, &c. The principle of all such operations is to make the rich richer and the poor poorer.

After a great effort, we cast down the "rag barons," and placed the bank of the United States and the state banks, generally, on a wholesome establishment; but we well remember the cost of it, and heartily pray that it may not be encountered again.

tions against the currency be so considered. They come too near the "hearts and homes" of the people to permit their continuance, as party measures. How many anxious days and sleepless nights have they already caused—how have they baffled the calculations of the old, and frozen the hopes of the young? What business man does not look back with mourning, and forward with fear? The past seems to have "done its worst," but the future is enveloped in the blackness of despair. Verily, verily, these are not rightful party or political matters! But such is the force of party preferences and party pride, such the organization of the public press, supported by an army of office holders, drilled like the Swiss regiments formerly in the pay of the Bourbon princes, that scores of thousands yet earnestly sustain the individual, while deeply lamenting and secretly reprobating his acts, without having the pretence of necessity to support them, and altogether inexpedient and unwise; considering also the idea of a metallic currency to be as impracticable as a present enjoyment of that peace which the millenium promises, without a total revolution in the pursuits and property, and the advancement or hopes, of every man and every woman in the United States. These are not political questions! They force upon us, (conditioned as we are), the serious consideration, whether there shall be a return to that prosperity which so lately blessed the land, and diffused a super-abundance of good things amongst us—or a retirement into a state of society closely allied to that in which men were "clothed in skins, and resided in dens and caverns."

It is not pretended that a refusal to charter the bank of the United States can produce these effects. We have reference to a carrying-out of the president's projects concerning the circulation—for the habits of the people must be changed in every respect, before they can bear the establishment of a metallic currency and live, after having so long had another, even from the early planting of these once feeble colonies which now compose the great American republic.

The expediency of the removal of the public deposits, and the manner in which that operation was performed, is rejected by thousands who stand opposed to the bank even on constitutional principles. Witness the result of the late elections in Virginia, in which state every possible effort, (honest or dishonest), was made to impress the people with a belief that the real question to be decided at the polls, was "bank or no bank"—aye, and the same persons, who, while acknowledging themselves defeated, take back all that they lately shouted, and congratulate themselves that a majority of the members of the legislature elected is opposed to a bank. It may be so—but before and after an election are very different periods of time!

Perhaps there is hardly one man in business in a thousand, not having some private interest or secret motive to influence his judgment, who truly believes that the removal of the deposits was an intelligent and correct proceeding—so much for the measure; but as they are removed, many would not have them restored, that the president's infallibility may stand unimpeached, though suffering much damage themselves by that rude act. These are personal, and not party considerations, in the lawful meaning of the latter term; and hence the revolution in public opinion that is going on.\*

\*As politicians, if resolved, at any expense, to cause a retirement of president Jackson, at the end of his term, in disgrace, and prevent Mr. Van Buren from filling the place that he holds—we should urge on the present pursuits of what is slavishly called "the government;" but we aim at much higher and more precious objects! We know that we have personally suffered heavy losses in consequence of these pursuits, and fearfully expect to be reduced from a state of independence, and fearfully of wealth), to one of embarrassment, (though not of poverty, we hope), if these pursuits are presented to their accomplishment. It is well that we do not owe much—for the much that is owing to us, and other means that were available a few months ago, and afforded a plentiful supply to make all things work smoothly, have lost their former full power, and afford only a limited support, and those means are almost every day reduced by the bankruptcy of persons indebted to us, &c. for the ability to earn and luck of getting money, are unquestionably necessary to the payment of money!

We think that if every man, in business, especially as a mechanic or manufacturer, will look over his affairs, it will be agreed that, on the average, those have at least lost one year's

The *personal* support of the president is not excusable on account of a *personal* opposition. He has been twice elected to what we regard as the most dignified office in the world—and the gratitude of the country has, without stint, flowed upon him. He is *not* a candidate for a second re-election. The measure of the good will of the people for him is filled—and why then the necessity of forcing personal feelings into the adjustment of the most interesting public concerns? Is it indispensable, that, in a due respect for president Jackson, all which is done by him, or in his name, *must needs be approved?*—all his *veto*s of the people's will be submitted to as oracles not to be doubted—in which he has exercised a power which no king, in a constitutional government, could exert, and yet hope to maintain his seat on the throne? Admit that his motives are good—all his purposes honest, is the judgment of the representatives of the people and of the states to be coldly set aside by the *veto* of an individual? Thousands are asking themselves this question, and thousands have already decided it in the negative, and party lines are becoming extinct, in the distress and bankruptcy and ruin which besets the people—and the poverty which threatens all classes of persons, except those who derive their subsistence from fixed salaries, or other permanent incomes. Labor is without demand unless at greatly reduced wages—real property is almost "without price" in the market—money is wretchedly scarce, and getting scarcer every day, and specie is rushing into the vaults of the bank of the United States, as if they were the only places of safety; while the holders of stocks and bank notes, in general, are in instant apprehension of some new calamity falling upon them. Never before was there such a state of excitement. Every intelligent man feels that he is injured, and is beginning to ask, why?—and to compare the *speculative* evils which he hears of in the bank of the United States, with the *real* ones suffered by himself, and his neighbors.\*

The veto of the bank bill, by the president, speaking of foreign capital, says—

"The interest on it carried to Europe is a burthen upon the industry, and a drain of the currency, which no country can bear without occasional distress."

Such was the doctrine of the party a short time ago—for whatever is uttered in "high places" is received with that same sort of reverence which the prescriptions of the ancient oracle at Delphos obtained.†

And what is the doctrine now?—what the practice of "democratic" Pennsylvania for years past—with the "right honorable" lords and ladies that glitter on the lists of her creditors? And every one thought that Pennsylvania acted wisely in introducing foreign capital—no

labor, or profit that ought to have been made on capital, already, by the president's "experiment." What will be the loss in a winding up of their affairs? The man who thought himself clearly worth 10,000 dollars in September last, will feel happy in a belief that he is worth \$7,500 in September next, if so he shall dare to believe, and in this proportion—unless the "experiment" is ended before that time. We are too far advanced in life, and have too many children, to be politicians at this ruinous rate of loss—and especially when our best judgment is satisfied that no possible public good is to be derived from it, except in the awful instruction which it may afford to those who may hereafter desire to meddle with the currency.

\*Is this view too highly charged? We think not—and offer one simple matter in proof. There is no deposit bank in South Carolina—the state banks would not receive the public money from the office of the bank of the U. S. or the president would not trust them, we know not which—and, though the price of cotton has declined in the general stagnation of business, there is no other difficulty about money in that state, and all the banks possess the old confidence that was reposed in them by the people.

†To resist any opinion advanced by the president, in the estimation of some, is to be—condemned. If the idea of the following, extracted from a late number of the "Globe," (as we find it quoted in the "Telegraph") be not blasphemous, it is disgraceful to the character of any being "created in God's own image." The secretary denied his MASTER—betrayed his MASTER!

From the Globe. "He (Duane) may be very honest and veracious, but we think he was wanting, on one occasion, in courage, to defend these very respectable virtues. We cannot expect the ex-secretary to be any better than the apostle who 'denied' his master, and if he be not content with being classed with him, why we will class him with that other apostle who 'betrayed' his master."

one any more supposed the interest to be a "burthen" than was a payment for any sort of foreign goods which it was not convenient to manufacture at home!—for money, like every thing else, is merchandise, and, like cod-fish or tobacco, seeks its best market. And up to the time of this veto, it seemed a settled principle in the political economies of this country, that we ought to import foreign money, as a *raw material*, to furnish employment, and make profits on labor, in the use of it.

And how stands the case now? Is it not recommended that New York and Pennsylvania shall borrow foreign capital to sustain their money corporations, or carry on their public works? The shout is for a specie currency, and the way of bringing that about seems most direct in borrowing money, (though all who depend on borrowed capital "ought to break!") to sustain a paper circulation! Isn't this beautiful? *Risum teneatis?*

New York is at the head of the states—the "empire state"—and exerts a mighty power in support of the *veto* principles, anti-credit proclamations and hard-money recommendations of president Jackson. Let us see how the practice of her politicians corresponds with their preaching.

The following is from the "New York Evening Post" of May 7—and the reader will please to recollect, that this is now the only "by authority" paper in that great city—the "Standard" having died a few days ago for the want of subsistence:\*

Both houses of the legislature adjourned yesterday *à la die*. We shall publish to-morrow the titles of the acts passed, which are 294 in number. Among these acts are *TEN INCORPORATIONS NEW BANKS, one increasing the capital of an existing bank; thirty four incorporating joint stock companies; ten renewing or extending the privileges of existing joint stock companies, such as manufacturing, rail road, bridge and turnpike companies, &c. and upwards of thirty acts creating corporations of other kinds. Exclusive privileges! Exclusive privileges!* We are a bank-governed people, and every year the number and weight of our manacles are increased. These exclusively privileged associations—these chartered rights—these corporations, if the people do not awake to the subject, and "by opposing end them," will, ere long, change the whole nature of government, as they have already materially corrupted the morals of society.

And in a subsequent number of the same paper, it is said—

"The Albany Argus speaks of the proceedings of the legislature in its session just concluded as 'proceedings which show a devotion to public interests, not surpassed by any preceding legislature.' Will the Argus please to put its finger on the evidence of this patriotism. We cannot find it. There has been as much selfishness and as little true public spirit in the last legislature as in any previous one for years. The Argus, in the same paragraph with the compliment we have quoted, mentions that among the acts passed by the legislature, 'are the charters for eight new banks,' and one increase, with an aggregate increased capital of \$3,800,000. Perhaps the Argus thinks this a proof of devotion to the public interests. We consider it quite the contrary; and all must consider it so, who know how bank charters, and rail road company charters, and insurance company charters, and all other charters granting exclusive privileges, are obtained, and how they operate on the interests of the community. The Argus has opposed earnestly and ably the United States' bank. Why not extend its opposition to our whole rotten and oppressive banking system?"

Remarks are useless: but the multiplication of money-corporations, as they are called, is among the strongest reasons that can be offered in favor of a recharter of the bank of the United States—to regulate and balance, and restrain their operations, by compelling them to keep up a sound currency, or shut up their shops. Without some such regulation, those corporations will run wild in issues of paper, and the whole country be filled with rags, rags, rags—which, even now, by the policy of "the government," have much uncertainty of value at the very places of their issue, and depreciate as much as from 12 to 15 per cent. as they are carried distances from home, compared with the *uniform value* of the bills of the bank of the United States.

The committee of the house of representatives, appointed to investigate the affairs of the bank of the United States, have returned to Washington. The facts heretofore suggested, as to their requisitions appear to be true. As we may soon expect reports of the proceedings had, it does not seem required, at present to

\*Since this was written, a new paper has taken the place of the dead one.

do more than insert the following paragraphs from Philadelphia papers.

The "United States Gazette" says—The following resolution of the investigating committee, will show to what lengths and depths it was their wish to make inquiry:

"Resolved, That the president and directors of the bank be requested to furnish the committee with copies of all correspondence between the president of the bank or any of its officers, with members of congress; or of unanswered letters received from one of them, since the 1st day of July, 1832, touching the renewal of the charter of the bank, the removal or restoration of the public deposits, or touching the business transactions of such members with the bank."

And the "National Gazette" informs us that—

On Friday last, (10th inst.) the marshal of the district served upon the president and directors of the United States bank, a subpoena, *duces tecum*, in the name and behalf of the house of representatives of the United States, whereto was appended a *read*. At noon on Saturday, the directors attended at Mrs. Yohe's, the North American hotel, and their counsel, J. E. Ingersoll, esq. presented to the investigating committee, a protest against the procedure. We understand that the committee then adjourned, to meet in Washington city on Thursday next.

The writ which the marshal served upon the bank directors, was printed at Washington, and contained an order to examine into the affairs of the bank; but in the blank left for the place at which the committee was to meet, was added in writing, an order for the directors to produce the credit books of the bank, showing the indebtedness of individuals.

The books of the bank, it appears, were to be deposited in an hotel, out of the keeping or guardianship of the bank! We suppose that such a thing was never heard of, or thought of, before. But the demand for private letters of members of congress goes far beyond that. Both demands were, of course, resisted. It was impossible that they could be complied with; and we cannot believe that either of the committee expected that they would be. It may be, that the bank has no such letters from members of congress—but if even so, no honorable man, we think, would have plead the fact, against such a demand.

The following gentlemen, it is stated in the National Intelligencer, are said to have been nominated, by the president of the United States, to the senate, to be government directors of the bank of the United States for the current year, viz: *Henry Horn, Roberts Vaux, Charles McAllister*, of Philadelphia; *Joseph White*, of Baltimore; and *Saul Alley*, of New York.

A new bank has been authorised at Buffalo, New York, under the charge of seven commissioners, who, according to the "Journal," are all office-holders—viz: two postmasters, one Indian agent, one collector of customs, one surrogate and two judges of county courts. The four first, we suppose, belong to the United States "army of Feds."\* The profits of the place of commissioner to make a bank, is estimated in the New York papers, at from 500 to 1,000 dollars! We know not how they are realized.

The "New York American" states certain things in relation to the legislative operations concerning banks at the last session, which are well calculated to surprise us—yet being local in their character we shall not particularly notice them. But the facts stated in the preceding paragraph are matters of general interest, as shewing the ar-

\*These are the days of political names! The "Jacksonmen," and "National republicans," are now called by the former party "democrats," and "federalists," and by the latter party "torians" and "whigs." But the *Harrisburgh Intelligencer* has raised up a third party, calling it the "Feds"—and an excellent name we think that it is. On this subject the "Intelligencer" says—"There is a party in the United States, that may with great propriety be called 'Feds'; not federalists, for federalists are much less interested men. There are about forty or fifty thousand 'FEDS' in the United States. We had 'Feds' in the time of the revolution—they were sent here by the British king 'to harass our people and eat out their substance'; and they were, right or wrong, supported by the torians. A 'Fed' is a man who is fed by the government, and some of the 'Feds' of the present day, are well fed; all of whom, as in the time of the revolution, are supported, right or wrong, by the advocates of power."

The remarks, however, are too general. There are many exceptions to the rule laid down by the "Intelligencer"—a good many public officers, who, content with honestly performing their public duties, have little time to spare, or wish to indulge in the business of elections.

agement of public officers, as a privileged class, separated from the people, and entitled to the "spoils."

We mentioned in the last REGISTER that bills of the bank of the United States had been refused at some of the offices in exchange for specie. On this subject the "Richmond Whig" of the 9th inst. making some remarks on a wholesale article from the Washington "Globe" says—

It is a fact well known in this city, and we appeal to the merchants of it, and even to the directors of the state banks here, for the truth of our assertions, that the United States bank has forborne to draw on the state banks for balances to an extent which would astonish any one not conversant of the fact, that it is the direct interest of the United States bank, to sustain the state institutions, by all the means in its power. We know the fact to be so in this city, and we have, in the absence of all other testimony, a sufficient guarantee in the interest of the bank, that such is the fact elsewhere. It will be recollected, that a statement made by the Enquirer, some month or more ago, certainly not for the purpose of benefiting the U. States bank, that the branch in this city had refused to give its own notes for specie. This we know to be true, and we further know that the officers of the bank have uniformly acted in this manner and the reason is plain, because it is well known such is the demand for the United States bank notes, (now at a premium of  $\frac{1}{2}$  to 2 per cent.) that our state banks would quickly be drained of their specie if the United States bank would receive it on deposit. The United States bank avows this motive, and it is a matter of public notoriety. In connection with this subject we have been politely furnished with the following:

Extract from a letter to a mercantile house in this city, from their correspondent in Charleston, dated 1st May.

"I was rather surprised to-day, by the receipt of a communication from Mr. Bacot, cashier of the branch bank at this place, stating that no more bills on Virginia could be negotiated through that office for the present, in consequence of orders from the mother bank to that effect. On asking him the reason, he told me that funds could not be remitted from Norfolk and Richmond to the north, without bearing hard on the state banks, with which the bank of the United States did not wish to come in contact."

The facts here stated are in exact accordance with our remarks. The bank of the United States, as we said, "stands, and must stand, like a strong man armed, between a sound currency and a circulation of rag money"—and, to carry out its own purposes and preserve its own interests, sustains, and will sustain, all the local banks who have "just claims to a liberal support." Specie, perhaps, is more abundant in the U. States at present than at any former period, but more of it is needed because of the diminished confidence of the people in paper money—and, as a general confidence declines, the U. States bank gathers an individual strength. Hundreds, perhaps, we might say thousands of new accounts have been opened in this bank and its branches, within a short time past—from the utter inability of the local banks to afford former facilities to their customers; for the reason, perhaps, that large sums are "locked up" in large loans, or accommodations, made some time, and prudently then, but which are not, and cannot be, retired, or made available, in the present general derangement of monetary matters.

Mr. *Rush* wrote a long letter to the committee of the house of representatives (appointed to examine into the affairs of the bank), on the acceptance of his resignation of the clerkship to which they had appointed him! It is published in the "Pennsylvanian" of the 10th instant.

A report prevails that the committee have censured Mr. *Rush*, by a resolution, for the publication of his letter. We think that he well deserved it.

It appears that the legislature of Rhode Island has substantially repassed the "perpetuation act," as it is called, which was repealed to make Mr. *Potter* a member of the U. S. senate, in the place of Mr. *Robbins*! Mr. P. is a member of the present legislature of Rhode Island. We live in strange times.

A "victory" seems to have been claimed in this state which was not won. Mr. *Francis*, the anti-masonic governor, was elected by a majority of 150 votes, being also supported by the Jackson party. For Mr. F. 3,676—Mr. *Knights*, 3,520—and it was said that the "opposition" had been defeated both in the election of the senate and house of representatives. But the new legislature was convened the day after the old one had passed the "perpetuation act," as above stated, and passed a set of

resolutions against the removal of the deposits and in favor of a bank, &c. as inserted in a subsequent page—the resolution concerning the latter being passed by a majority of 46—a great one, indeed, if the legislature consists of only 72 members as we see it stated in the papers, for the vote must have been 59 to 13. Were all these “bought up by the bank?”—and the governor also, who is said to hold the opinions expressed in the resolutions!

[It appears by a subsequent statement, that the resolutions above alluded to only passed the house of representatives, and that the senate refused to concur, notwithstanding gov. Francis used all the influence that he possessed to bring about a concurrence. Shall we call this senate “factious,” and say “down with it?” No—but is it not as “factious” as the senate at Washington, and placed in precisely the same relation, though on opposing points?]

The grand lodge of Rhode Island has surrendered its charter, and so have been the charters of many subordinate lodges. The same things have happened in other states. In this season of peril, we have other things to think of than *speculative* masonry, or *political* anti-masonry. If either offend, or stand in the way of the public prosperity and public peace, let either, or both, be buried, with the chariot wheels of Pharaoh, in the Red Sea! To effect this, however, moderation and liberality, with justice, must be exerted by both parties. Reason will accomplish what force may attempt in vain.

There has been much excitement in Boston for some months past, on account of a report that a “figure head” of president Jackson was to be placed on the bows of the Constitution frigate. It was, at length, ascertained that such a head had been prepared by com. Elliott—but it thereafter appeared that the design of setting it up was abandoned, when many publications on the subject had been made. The fact, however, is, that such a figure-head was placed on the bows of the Constitution, about two or three weeks ago.

This proceeding has elicited much feeling—and, independent of *political* sentiments involved, the propriety of placing on the bows of a national ship the head of any living person, is earnestly questioned. We always thought it wrong that one of said ships was named after a then president of the United States—the “John Adams”—for we would not build up such monuments to the living; and we think that there are also other reasons why such things should not be allowed, and especially in this—that no public man escapes the prejudice or censure of some portion of the people, while on this theatre of action; and it has been the happy lot of few, indeed, to pass into history with names so pure as those of WASHINGTON and FRANKLIN, after whom two ships of the line are worthily called. And besides, to prevent the perpetuation of unworthy names—for some who have stood highest in the public favor have been handed over to the public execration, and others will be), a rule was established as to the naming of our vessels of war, ships of the line to be called after the states, frigates after rivers, and sloops after cities or towns. This was a wholesome provision, and, if carried out in its whole extent and spirit, may forbid unpleasant occurrences, in future times—for it would be a very awkward thing to make a formal change of the name of a public ship, or to direct that she should be divested of some particular ornament.

These remarks have only a general application, and we think that every reflecting person must see the propriety of them. But with respect to the CONSTITUTION frigate, she ought to remain, and be preserved, as a national concern, for ages, if possible, and just as she was when she met and humbled the British Warrior, [*Guerriere*], in perpetual remembrance of that and other “triumphs on the ocean.”

Another earnest attempt is making at Boston to complete the Bunker Hill Monument—the progress of which was sometime ago arrested by the withering blast of despicable party politics.

At the late election in Connecticut no choice of governor was made, three candidates being supported by three

different parties; but the legislature having convened, Mr. Foot, who had much the highest vote of the people, was elected—for Mr. Foot, the “whig” candidate 154, Mr. Edwards (Jackson) 70, scattering 3. Anti-Jackson majority 81. And then a salute of 100 guns was fired at New Haven.

A business-member of the house of representatives is thus lost to the people of the U. S. and we have few of them to spare. But we fear the loss of another such from the same state, who will probably be appointed its chief justice.

In Connecticut, it was some time since said, that a “healthy majority,” through the “aid of the general government” might be expected; and, as leading to it, there was nearly a complete “reform” of the officers of the U. States located within it.

The city of New York is exceedingly unfortunate by fires. Since the destruction of the Phoenix Buildings on the 29th ult. other extensive ranges of stores and houses have been destroyed. A full supply of water ought to be obtained—if possible.

The New York American of the 13th inst. says—

We have it from undoubted authority, that after 12 o'clock this day, when two new ships are to be launched, there will not be on the stocks in any ship yard in New York, a single vessel of any sort building. This we take to be an indication more decisive than any other single one, of the baleful effects of that “experiment” which has caused, is causing, and will until it is arrested, continue to cause, commerce and credit to perish. At no period, we presume, since the embargo of 1807, has such a state of things, in regard to ship building, existed in this city.

A new daily paper called “*The Times*” has appeared in New York, and taken the place of the “Standard” lately deceased.

The “Times” of Monday last has a lofty account of the reception of Mr. Lawrence, the new mayor, the preceding Saturday, and details the various honors and compliments paid to him, and especially describes the ornamented steamboat Independence, in which he was conveyed from South Amboy to New York, which among other things displayed a broad white flag bearing the motto—

“THE CONSTITUTION IS SAFE.  
FOR JACKSON IS THE PILOT;”

and gives a relation of the ceremonies, the cheerings of the people, and the salutes of cannon fired on the occasion—the procession to the Park, and reception in the governor’s room in the City Hall, &c. The “opposition” papers speak of this matter as a complete failure, in all its parts—they say that the procession contained only 590 persons, “duly counted,” who dwindled down to 300 before they reached the Park—that the houses on Broadway were closed, the ladies refusing to appear at the windows, &c. And the “American” says—

“One more incident connected with this celebration! we must add—the rather, as we witnessed it ourselves.

“On the return to South Amboy of the Independence to receive the passengers from Philadelphia by the 10 o’clock line—who were already on the wharf, and waiting with some impatience for the boat—a white flag, with the legend, “The constitution is safe, for Jackson is the pilot,” was descried. A cry of “Down with that flag!” instantly arose, which, as the boat came to the wharf, became more earnest. The captain said it should be hauled down as soon as possible. In attempting it, however, the violence of the wind having twisted the flag around the staff, the halyards broke. Meantime all the passengers, to the number probably of a hundred, remained drawn up on the wharf, declaring that they would not set a foot on board the boat till the offensive emblem was removed. A voice then cried out “all that are in favor of that flag being pulled down say aye.” A shout ensued which did indeed make “the hills of Jersey” ring. The contrary—no—and not a solitary voice was raised! Immediately one of the hands of the boat climbed the flag staff, while others took boat hooks, and in tatters the banner was soon torn down. Three hearty cheers greeted its descent, and then all were soon under way in the Independence, with the broad flag of the union only flying above them, and no man’s private signal to mark them as slaves.

“We add, lest it might be conjectured that personally we had some agency in bringing it about, that we were during the whole of it a silent and passive, though not ungratified, spectator.”

[We have obliterated two *hard* words, and also struck out a brief paragraph not necessary, in our opinion, to a correct judgment of the character of the incident stated.]

The new city councils were organized on Tuesday. *James Monroe* was chosen president of the board of aldermen, 10 to 5; and *George W. Bruen* president of the board of assistant aldermen, 8 to 5. They are both of the party called "whigs."

The Albany election for supervisors, &c. resulted as follows:

Wards.	Jackson.	Anti-Jackson.
1st.....	404.....	609
2d.....	377.....	460
3d.....	117.....	202
4th.....	419.....	479
5th.....	256.....	298

The latter party having a majority in every ward.

There is to be a public festival at Albany to celebrate this "glorious victory" of the "whigs," as the anti-Jackson party call themselves, and no doubt there will be grand salutes of artillery. The election in the city of New York has caused no small consumption of gunpowder, at various places!

The anti-Jacksonians of New York are also loudly exulting at their victories won at Syracuse, Auburn, &c. and we notice that a meeting is called at *Ithaca*, by the signatures of fifteen hundred persons. It is apparent that a great change has been effected in the political opinions of the people of this state, or else that there is a new zeal to give them effect. A convention has been called with a view to unite all the elements of the "opposition." The "Jackson and Van Buren" party is also rallying its strength—and, through its organization and numbers, is very powerful.

The charter election of the city of *Troy* was held on Tuesday last, and, according to the private advices of the N. Y. Commercial, resulted in giving to the anti-Jackson party a majority of 635, being an increase of 530 since the election of 1832.

The charter election of the city of *New Brunswick; New Jersey*, took place on Monday last, and the whole anti-Jackson ticket for common council and town clerk, was carried by a small majority.

It is calculated that the anti-Jackson majority in the legislature of Virginia is from 25 to 30. Preparations are making for a general jubilee throughout the state.

It is said that the largest meeting ever held in western Pennsylvania was convened at Pittsburgh on the 6th inst. "to celebrate the victory of the whigs at New York." *Gen. Marks* presided over the ceremonies and over the feast, supported by many vice presidents, &c. There was a good deal of speaking, and much eating, and drinking of toasts; and, on motion of *Benjamin Bakewell*, the meeting then adopted their congressional and legislative ticket, *Mr. Denny* being nominated for re-election to congress. They also appointed delegates to a convention that is to be held at Harrisburgh on the 27th inst.

The first resolution may show the character of this meeting—as follows:

*Resolved*, That this meeting do reaffirm the solemn judgment of the American senate, "that the president of the U. States, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

The number present were computed at from six to eight thousand. Several salutes of cannon were fired during the day. A salute of 100 guns was fired at Cincinnati on the same occasion. Another account says that one hundred and fifty guns were fired in consequence of an attempt to prevent the firing of 100, by removing the deposite of powder, and spiking the cannon that were set aside for the salute. A great meeting of the people was also held in this city to celebrate the "victory" at New York.

The "Baltimore Republican" of Saturday last has the following:

Attention!!! Those young men of Baltimore, who are willing to pledge life, fortune and sacred honor, in the support

of their patriotic chief magistrate, against the lawless course of a FACTIOUS SENATE, are requested to assemble on Thursday evening next, the 15th inst. at ½ past 7 o'clock, at the Columbian Gardens. The object of the meeting will be explained, in an address from a friend to the cause of equal rights and universal suffrage.

A Boston paper of April 29, says—

The Northampton broadcloths, to be sold at Quiney Hall, tomorrow, were opened for exhibition to day, and may be examined until the commencement of the sale. We never witnessed a more gratifying exhibition, nor one that made us feel prouder of New England. There are six hundred pieces of broadcloths, handsomely displayed on tables in the centre of the hall, giving every opportunity for minute examination. The first thing that strikes the eye is the richness and diversity of colors—corresponding to the fitness of fabric, softness, firmness, and finish, of the cloths.

"The cloths were sold the next day—and it is said "The prices obtained were at least equal to what might have been anticipated, from the recent stagnation in business of all kinds."

There has been considerable agitation at New York, in consequence of some apparently violent proceedings of the anti-slavery society to bring into disrepute the Colonization society. Multitudes have assembled to hear certain examinations and discussions. The abolitionists seem to be in a very small minority, but are resolute and thorough-going. Mr. Noah congratulates the people of the south, that all the fighting about the emancipation of their slaves is to be done north of Mason and Dickson's line!

Large additions have been made at Saratoga, for the accommodation of visitors in the ensuing season. It needs not the gift of prophecy to say, that the removal of the public depositories will much diminish the depositories of trangers at Saratoga.

Some generous individuals at Philadelphia are making considerable exertions to obtain contributions for the present relief of the Polish exiles arrived at N. York. They have been sent to us as an unhappy season. Few that are both able and willing to assist the distressed, have not a sufficiency of calls or demands upon both; but a trifle from many to these few strangers would render good service to them, and evince a national feeling that we might have a just pride in.

At a meeting, on Monday, the 5th inst. of the board of directors, *James Howard*, esq. was unanimously elected president of the Franklin bank of Baltimore, in the place of *Philip Moore*, deceased.

There are again strong reports that *Mr. McLane* is about to resign the place of secretary of state, and credit seems given to them. Such reports ought not to be started on slight grounds; but in times of excitement, the people are always rife for them.

The "Telegraph" says that the "Globe" calls *Mr. Duane* an "upstart"—but the former adds "Mr. D. has the advantage of education and we know who his father is."

Away at *St. Louis*, the following were the rates of exchange of the bank notes named for those of the bank of the United States, a few days ago:

Louisville Union bank	5 per cent discount.
Virginia bank notes	10 " "
Ohio banks	8 a 10 " "
New York safety fund notes	10 " "

The business of robbing houses and stores and of picking pockets, and in general of removing private depositories, without assigning any reasons for so doing, is very lively! The chief operators are foreigners, recently arrived in this "land of liberty;" but some of them are cruelly used! Instead of being permitted to run at large, and explore the country which they have adopted, many of them are seized and shut up in the penitentiaries, and there compelled to labor. We do not know why it is—but, certainly, deprecations on property have rapidly increased, within a short time past—the principal actors being associated villains from the British islands. We are glad,

however, to observe that four murderers, who had actually embarked for the United States, were arrested at Liverpool, and carried back to Dublin, a short time ago.

Canada is much agitated. Politics run high. The native population, [French] against those of the British islands, the United States, &c. Social communications between persons of the adverse parties seem to be nearly at an end. In Lower Canada a very large majority of the people are Canadians proper—that is, descendants of the original French settlers.

Mr. Macadam, the celebrated road maker, has been knighted by the king of England. He would not find much favor at Washington, on a windy day! The Pennsylvania avenue is among the most beautiful roads that have ever been made, in wet weather—but "awful" in dry and blowing weather; almost impassable, at times, from the clouds of sharp stones, which now supply the place of its former more honest dust—which, indeed, was often abundant!

The Madrid Revista Espagnola, of the 25th ultimo, states, that in consequence of an attempt to assassinate the commandant general of Murcia, that officer issued the following extraordinary proclamation, dated March 19:

"The criminal attempt to assassinate me in my own house on the evening of the 17th, although not effected, calls for precautionary measures, consequently, if a similar attempt be made on any of the authorities appointed by the queen, or even against any person attached to her cause, I will immediately imprison 30 persons, taken from those most known for their enmity to the government of her majesty, and, after summary trial, I will cause four of them to be shot, and the rest transported to the colonies, whatever their station in society may be. (Signed) PEDRO RAMIES."

THE CURRENCY AND THE TIMES, &c. The following were the rates at New York on the 10th instant, of the notes of banks regarded solvent.

United States bank and all its branches, par. All of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut and Vermont, with two or three exceptions only  $\frac{1}{2}$  per cent. dis. New York city banks, par, with many of those in the interior—some at  $\frac{1}{2}$  per cent. dis. but the safety fund banks generally at 1 discount, two or three at  $\frac{1}{4}$ . New Jersey, some at par others generally from 1 to  $\frac{1}{2}$  dis. Pennsylvania—Philadelphia 4—country banks from 1 to 2, a few at 5 dis. Delaware 2. Maryland—Baltimore 1—country notes 2 to 4 dis. Virginia from 3 to 5. District of Columbia  $2\frac{1}{2}$ . Ohio, generally, 5. North Carolina, South Carolina and Georgia 5. Tennessee, Louisiana, Alabama and Mississippi 10 dis. Michigan  $2\frac{1}{2}$ . Canada  $3\frac{1}{2}$  to 6.

The uniformly good credit of the numerous banks in New England, is not a little remarkable, in this season of pressure. The credit of the "safety fund" banks has also rallied.

#### MISCELLANEOUS ITEMS.

On the 8th inst. a great crowd was collected in the new Roman Catholic church at New Haven, Conn. to witness the ceremony of its consecration by the bishop, when the gallery across the front end of the house gave way, breaking in the middle, and precipitating many persons. Only one was killed on the spot, but two or three others died soon after, and several others were fearfully mangled.

The ship Ceres sailed from Wilmington, Delaware, last week, on a three years' whaling voyage to the Pacific. She has been purchased and completely fitted for this service by the whaling company recently formed in that town.

It is said that the late severe frosts have been very injurious to the growing cotton crops of Tennessee.

The gross amount of tolls collected on the Erie canal in the last month was \$91,930 compared with \$88,606 collected in the same month last year. The reduction of the tolls is said to be a fair offset for the 5 days gained to the navigation this year, by the opening of the canal.

A straw factory near Boston yet employs between 150 and 200 persons, chiefly females in weaving straw, by hand looms, &c. after the manner of what is called the *Tuscany*, as imported from the Mediterranean. We hope that a knowledge of the fact that the chief part of the *Tuscany bonnets* used in the United States are made in New England, will not render them less fashionable than they have been; but the much reduced price has already caused this beautiful manufacture to be rejected by some, who will not wear any thing that is common.

The hon. Mr. Grennell, of Massachusetts, in crossing the bridge over the basin, near the Centre market house, on Sunday the 4th instant, learned from some boys that a negro had had

fallen into the basin, and sunk, some minutes before. Finding any other means of recovering the body hopeless, he threw off his coat, and plunged into the water, (about eight feet deep), and, after going down once or twice ineffectually, at last found the body, and conveyed it to the wharf, to all appearance dead. After a short time, however, he had the happiness to perceive that his efforts, and the risk he incurred, had not been in vain. The lad gradually recovered. [Nat. Int.]

The fisheries on the Potomac have been unusually successful the present season. The Alexandria Gazette says "somewhere about the middle of this month, at a fishery 14 miles below Greenway, at one haul, a million and a half of herring, and between eleven and twelve hundred shad, were taken! On the 23th April, in like manner, were caught eleven thousand shad at the same landing!"

The scarlet fever is making dreadful ravages in some parts of South Carolina.

Polari, who was arrested at N. York, for stealing the jewels of the princess of Orange, and carried to Holland, was executed at the Hague on the 2d April last.

Several negro traders have been recently put to death by the commodities in which they dealt.

The Salem Gazette says—We were struck a few days ago, with the enormous size of some ladies' combs standing in our neighbor Lakeman's window. On inquiry, we found they were destined for the South American market, where they are actually worn by the ladies, although the rim is from two to two and a half feet in breadth, and six or eight inches high. They are made of horn, in Newburyport, elegantly finished, and very handsome, notwithstanding the vulgar material of which they were composed.

The U. S. schooner Grampus arrived at St. Thomas on the 22d ult. having, in a gale thrown over eight guns, and lost her boats.

In Paris, with a population of 935,000 there are 925 physicians; in Berlin, with a population of 249,000, there are 174; in London, with a population of 1,500,000, only 203; in Boston, with a population of 71,000, there are 75; in New York, which is estimated at 250,000 we have 530.

The following account of a "rail road accident," is copied from a Philadelphia paper of May 7—

"An accident occurred on the Camden and Amboy rail road yesterday, which detained the cars for about forty-five minutes; but we rejoice to learn that no person was injured. It appears that as the engine from Amboy was proceeding along the road at the rate of about fifteen miles an hour, it came suddenly in contact with another engine from this end of the road, which was also proceeding at a very rapid rate. The concussion took place just at a turn of the road, and thus prevented the engineers of the different engines from seeing each other until the engines were within a few yards of meeting. The concussion was very great, and both engines were materially injured. That from the Camden end of the road was unattended by a train of cars. The passengers in the cars attached to the other were for a few minutes considerably alarmed. It was certainly imprudent on the part of those in charge of the engine from this end of the line, to proceed on the road, and at a rapid rate, when the cars from the other end were expected."

Should this be called by the soft name of an "accident?" Had a person been killed, what jury would not have found the conductor of the locomotive (without the train) guilty of murder, or, at least, of manslaughter? There is no excuse for an act like this, and such acts must be punished.

The Norfolk Herald says—a female mule belonging to a gentleman in Suffolk, lately brought forth a colt! This is the first case of the kind we ever heard of, and the general belief has been that this mixed generation of animals was incapable of reproduction.

Cargoes of ice, from the North sea for London, are expected to prove profitable investments. One already had been entered at the custom house at the value of £80.

There are 15 large steam packets on lake Ontario, and there are 30 on lake Erie, besides 150 schooners.

Several persons convicted of arson in the agricultural districts of England, have been left for execution, according to sentence.

Out of twenty persons composing the select vestry of Morpeth, (Eng.) one is a brewer, four are publicans, two are beer-shop keepers, two are brewers' clerks, and one a porter-seller, and the mother of one, the wife of another, and the uncles, aunts and cousins of another, are parish paupers.

In a work lately published by a Spaniard, there is a comparison between the produce of the gold and silver mines in America and the coal mines in England, from which it appears that the gross value of the annual produce of the coal mines, which is 18,000,000 tons, amounts to 450,000,000 francs, including the wages and other charges; whilst the produce of the gold and silver mines, including the same charges, is only 220,500,000 francs; showing a balance in favor of the coal mines of England, over the gold and silver mines of the new world, of no less a sum than 227,500,000 francs.

The Baltimore Gazette of May 9 says—Yesterday some fishermen at Carpenter's Point, took at a single haul, upwards of eight hundred rock fish, of the largest size we ever saw. Some of them weighed upwards of 100 pounds, and the most of them averaged between 50 and 100 lbs. They were selling this morning in market, at from 50 cents to one dollar for the largest, say one cent a pound for such fish as this!

—♦♦♦♦♦  
 TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

May 9. Mr. Knight presented a memorial signed by 2,338 mechanics of the state of Rhode Island, praying the restoration of the deposits, which was read, referred, &c.

The bill making appropriations for the support of the army for 1834, was read the third time, on motion of Mr. Webster, amended and passed.

The bill for the continuation of the repairs of the Cumberland road was read the third time and passed.

A communication was received from the department of state, stating that the publication of the diplomatic correspondence of the United States, from 1783 to 1789, had been completed and published.

Mr. Clayton reported the bill to revive and amend the act for the relief of certain insolvent debtors, with amendments;

Also the bill in addition to an act to provide for the punishment of certain crimes against the United States; which latter bill was twice read and ordered to a third reading.

The bill authorizing the admission of the territories of Michigan and Arkansas into the union as states, was taken up; and after a speech from Mr. Tipton in favor of the bill,

On motion of Mr. Clayton, the bill was laid on the table. The bill making a donation of land to the Polish exiles was taken up, amended so as to give to each settler five hundred instead of three hundred acres, passed, and ordered to be engrossed for a third reading.

The bills to extend the commissions under the treaty with France and with Naples, and the bill to equalise the representation in the legislative council of Florida, were severally read the first and second time and referred to appropriate committees. The senate adjourned.

May 12. Memorials were presented in favor of the restoration of the deposits, &c. by Mr. Webster, from Rochester, signed by 1,371 persons; by the same from citizens of Mifflin county, Pa. by the same; from nearly 400 citizens of Detroit. Mr. McKean presented memorials on the subject of public distress, the removal of the public moneys from the bank of the United States, and the finances of the country generally, from Chester, Cumberland and Luzerne counties, Pa. all which were read, referred, &c.

Mr. Wright presented memorials from Warren and Schenectady, N. Y. approving the conduct of the president of the United States, in relation to the public finances—read, referred, &c.

Mr. Clay was elected a member of the committee of foreign relations to supply the vacancy occasioned by the resignation of Mr. Rice.

The general appropriation bill from the other house, was twice read and referred.

The bill in addition to the act for the punishment of certain crimes committed against the United States, and for other purposes; and

The bill granting a donation of land to the Polish exiles, were respectively read a third time and passed.

Mr. Waggaman called for the yeas and nays on the question, and they having been ordered, the bill was passed by the following vote:

YEAS—Messrs. Benton, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, King, of Georgia, Knight, McKean, Moore, Morris, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Tallmadge, Tipton, Tomlinson, Webster, Wilkins, 25.

NAYS—Messrs. Black, Brown, Grundy, Hendricks, Hill, Kane, King, of Alabama, Robinson, Shepley, Swift, Tyler, Waggaman, White, Wright—14.

So the bill was passed, and sent to the house of representatives for concurrence.

The report on the Rhode Island election of senator, was taken up and made the order of the day for Monday next.

The senate proceeded to consider the report of the Judiciary committee, on the subject of the pension agency, when

Mr. Clayton, after some remarks, moved to amend the resolution of the committee, by adding the following words: "except when specially authorised to do so by act of congress."

So that the resolution may read—  
 "Resolved, That the department of war is not warranted in appointing pension agents in any state or territory where the bank of the United States or one of its branches has been established, except when specially authorised to do so by act of congress."

The amendment having been agreed to—  
 On motion of Mr. Wright, its further consideration was postponed until to-morrow.

The resolution authorising the purchase of thirteen copies of American state papers, now in progress of publication by Gales & Seaton, was taken up, and ordered to be engrossed for a third reading by a vote of 20 to 13.

On motion of Mr. Poindexter, the senate then proceeded to the consideration of executive business, and after being engaged

therein some time, the doors were opened, when the senate adjourned.

May 13. Memorials, &c. favorable to the restoration of the deposits, were presented by Mr. McKean from a numerous meeting of citizens of Adams county, Pa.; by Mr. Frelinghuysen from 300 citizens of Morris county, from 241 citizens of Elizabethtown, from 201 citizens of Livingston, and from 100 citizens of Union township, in the state of New Jersey; by Mr. McKean from 850 citizens of Adams county, Pa.; by Mr. Tyler from 425 citizens of Norfolk county, Va.; by Mr. Ewing from a large number of the citizens of Licking county, Ohio; by Mr. Silsbee from 4,600 citizens of the third congressional district of Massachusetts; all which were read, referred, &c.

Mr. Frelinghuysen presented a memorial from 1,445 citizens of Middlesex county, and the city of New Brunswick, in New Jersey, opposed to the recharter of the United States bank, which was read, referred, &c.

The senate then proceeded to the consideration of the report of the committee on the judiciary concerning the pension books in the United States bank.

Mr. Wright addressed the senate in opposition to the resolution reported by the committee; when he had concluded,

On motion of Mr. Clayton, its further consideration was postponed until to-morrow.

On motion of Mr. Benton the senate proceeded to the consideration of executive business, and after the doors were opened, the senate adjourned.

May 14. A message was received from the president of the United States, communicating copies of a treaty with France, and of a convention with the two Sicilies; which on motion of Mr. Wilkins were respectively referred to the committee on foreign relations.

The chair presented the proceedings of a democratic meeting of New Castle county, Delaware, approving the removal of the deposits—read, referred, &c.

Mr. Bibb presented a memorial from upwards of 500 citizens of Nelson county, Kentucky, condemning the conduct of the executive in the removal of the deposits, and praying congress not to adjourn until some remedy has been provided for the existing evil—read, referred, &c.

Mr. Morris, of Ohio, presented the proceedings of a meeting of Seneca county, Ohio, sustaining the course of the executive; which was read, referred, &c.

Mr. Morris also presented the proceedings of a meeting in Columbiana county, Ohio, similar in its tendency. He stated that one of the resolutions was objectionable, as using the term "vindictive" in reference to the resolutions introduced by Mr. Clay; but he did not consider them as disrespectful to the senate.

Mr. Poindexter said as the gentleman from Ohio had described one of the resolutions as objectionable, with a view to put a stop to this practice of passing and sending here improper and indecorous resolutions, he objected to the reception of the paper.

Mr. Ewing, of Ohio, said he hoped the memorial would be read; and the more violent and denunciatory it might be, the better. The people of the state of Ohio, he said, were a sober, calm and reasoning people; and if this paper contain violent abuse or denunciation, it will be conclusive evidence in my mind that a small portion of the people of any county in that state have joined in it.

The memorial having been read—  
 Mr. Ewing said: The thing, Mr. President, is not so bad. I hope my colleague will give us the rest which he has by him, and which, it seems, he is ashamed of.

The memorial having been read, and the resolution, alluded to above, containing indecorous and improper reflections upon the other senator from Ohio,

Mr. Frelinghuysen moved to lay the whole subject on the table, which motion prevailed by the following vote:

YEAS—Messrs. Bell, Bibb, Calhoun, Chambers, Clay, Clayton, Frelinghuysen, Hendricks, Knight, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Robbins, Silsbee, Sprague, Swift, Smith, Tomlinson—21.

NAYS—Messrs. Benton, Black, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Linn, McKean, Morris, Preston, Robinson, Shepley, Tipton, Waggaman, White, Wilkins, Wright—19.

Mr. Ewing then asked and obtained leave, and presented a memorial which he thought would wipe off the blot, if any were cast upon his state by the memorial just offered by his colleague, and which the senate had refused to print. This memorial is signed by 1,029 voters of Athens county, Ohio. Another copy which he had received, but which was not on his table, contains the signatures of 72 citizens of the same county, and three townships are yet to be heard from. At the last presidential election, that county gave 1,344 votes, of which, 627 were for the present chief magistrate, and 717 against him.

This memorial was of a contrary character, and after some conversation between Messrs. Ewing and Morris, the memorial was read, referred, &c.

The senate then proceeded to consider the report and resolution of the judiciary committee on the pension books, &c. in possession of the United States bank.

Mr. Clayton addressed the senate in reply to Mr. Wright; but before he had concluded gave way to a motion to adjourn; and, on motion of Mr. Ewing, the senate adjourned.



May 15. A communication was received from the president of the United States, transmitting a copy of the treaty recently made with the republic of Chili.

Mr. Naudain presented the proceedings of a public meeting recently held at Wilmington, in the state of Delaware, expressing their disapprobation of the protest sent to the senate by the president, which were read.

Mr. Naudain then moved that these proceedings be printed for the use of the senate.

Mr. Forsyth opposed the motion to print.

Mr. Kane moved to amend the motion to print by including the printing of the protest.

This motion was opposed by Messrs. Clay, Clayton, Forsyth, Preston and Poindexter.

It was stated in the course of debate that the protest had already been printed and published by the executive, and that 40,000 copies had been issued from the Globe office.

The amendment was almost unanimously rejected, and the motion to print agreed to without a division.

Mr. Clayton then resumed and concluded his remarks; in the course of which he moved to amend the resolutions reported by the committee, by substituting for them the following:

*Resolved*, That the act of congress for the relief of certain officers and soldiers of the revolution, passed on the 15th of May, 1828, and the act supplementary to that act passed on the 7th of June, 1832, are properly acts providing for the payment of military pensions.

*Resolved*, That no power is conferred by any law upon the department, or secretary of war, to remove the agency for the payment of pensioners under the said act of the 7th June, 1832, and the funds, books and papers connected with that agency, from the bank of the United States, and to appoint other agents to supercede that bank in the payment of such pensioners.

Mr. Kane then addressed the senate in reply to Mr. Clayton, and in vindication of the opinion of the attorney general, and continued for some time, when he yielded the floor without having come to a conclusion; and the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, May 9. Mr. Allen, of Va. reported a bill further to amend the act incorporating the Chesapeake and Ohio canal company; and

Mr. Vinton a bill to provide for erecting a fire proof building for a patent office, and for other purposes; which bills were twice read and committed.

On motion of Mr. C. P. White, a resolution was adopted authorizing the printing of a thousand copies of the amended rules and regulations for the navy.

Mr. Banks, on the part of the minority, from the committee of elections, presented a counter report, to that presented by the majority, in the case of the contested election of Mr. Moore and Mr. Letcher, which he moved to have printed, and its further consideration postponed until Tuesday next.

The house then took up the general appropriation bill, The question pending from yesterday, being on the original amendment submitted by Mr. Vance, which had been so modified as to read as follows:

"In no case, shall the compensation, by salary, fees, or otherwise, be permitted to exceed; of a collector, three thousand dollars per annum; of surveyors and naval officers, two thousand five hundred dollars per annum; and of weighers, gangers, markers, appraisers, and all others connected with the collection of the customs, two thousand dollars per annum."

Mr. Vance said, that as the question had been amply discussed, he would now ask that it be decided by yeas and nays; and the yeas and nays being ordered, appeared as follows:

YEAS—Messrs. H. Allen, J. J. Allen, C. Allan, Wm. Allen, Banks, Barringer, Beate, Beaumont, Binney, Bull, Bunch, Burd, Burges, Casey, Chambers, Chilton, Wm. Clark, Clayton, Clowzey, Connor, Corwin, Coulter, Crane, Warren R. Davis, Deberry, Denning, Denny, Dickson, D. W. Dickinson, Duncan, Evans, Horace Everett, Ewing, Fillmore, Forrester, Foster, Fulton, Gamble, Gholson, Grenuch, Griffin, H. Hall, Hamer, Hard, James Harper, Harrison, Hazeltine, Hiester, Jabez W. Huntington, Jackson, Jarvis, Seaborn Jones, King, Kinnard, Lane, Laporte, Lincoln, Love, Lucas, Mardis, McComas, McKennan, Moore, Peirson, Potts, Ramsay, Reed, Rencher, Aug. B. Shepperd, Wm. Slade, Charles Slade, Sloane, Spangler, Stewart, William P. Taylor, Tompkins, James Turner, Twedy, Vance, Wagener, Webster, F. Whittlesey, E. Whittlesey, Wilde, Williams, Young—85.

NAYS—Messrs. John Quincy Adams, John Adams, Archer, Ashley, Baylies, Beale, Beardsey, Bodie, Briggs, Brown, Bynum, Cambreleng, Chinn, Samuel Clark, Clay, Coffee, Day, Dickerson, W. K. Fuller, Galbraith, Gillet, Gilmer, Gorham, Jos. Hall, T. H. Hall, Halsey, Hardin, Jos. M. Harper, Hathaway, Hawkins, Howell, Hubbard, Abel Huntington, Noadiah Johnson, Cave Johnson, Kavanagh, Lansing, Luke Lea, Thomas Lee, Leavitt, Loyall, Joel K. Mann, Martindale, Moses Mason, McKay, McKim, McLene, McVein, Miller, Robert Mitchell, Muphy, Osgood, Paze, Parker, Patterson, Polk, Schley, Selden, Shiun, Standifer, Sutherland, P. Thomas, Thomson, Turrill, Vanderpoel, Van Houten, Ward, Wardwell, Wayne, C. P. White, Wise—72.

Mr. Vance, thereupon, as he had previously intimated, withdrew all the other clauses in the amendment proposed by him

(the clause thereof preceding the above having been disagreed to yesterday.)

Mr. White, of Florida, moved an amendment increasing retrospectively, the salary of the U. S. judges in Florida, which was agreed to.

Mr. Sutherland moved an amendment authorising the secretary of the treasury to pay to the collectors, naval officers, surveyors, clerks, gaugers, weighers, provers, markers and measurers of the several ports of the United States, respectively, the same compensation for the year 1833, as if the act of July, 1832, had not gone into effect.

Mr. Clayton opposed the amendment, and went into a statement to shew the vast increase in the number of custom house officers in New York since 1833—66 clerks, instead of 35; 7 appraisers, instead of 2; 16 clerks in an office that had but 1; 120 inspectors, instead of 63, &c. &c. That the annual expense had increased from \$150,000 to \$300,000. And then argued to prove that this increase was far beyond the proportional increase of the business of that custom house.

Mr. Huntington was opposed to the amendment, the true effects of which he stated to be, to give men salaries for duties they had no longer to perform.

Mr. Sutherland modified his amendment, so as to confine it to collectors, naval officers and surveyors.

Mr. Harper, of Pa. stated some facts, showing abuses which existed in the custom house at Philadelphia.

Mr. Vance now offered an amendment to the amendment before the house, directing the collector in New York to dismiss a long list of officers in the custom house there, including 1 deputy collector, 1 assistant cashier, 20 clerks, 4 assistant appraisers, 31 night-watchers, &c. amounting in all to 101. He briefly advocated this amendment.

Mr. Cambreleng warmly resisted the amendment moved by Mr. Vance.

Mr. Pearce, of R. I. and Mr. Broven, of N. Y. advocated with great earnestness Mr. Sutherland's amendment.

Mr. Huntington demanded the yeas and nays on Mr. Sutherland's amendment, and they being ordered, appeared as follows: yeas 74, nays 117.

Mr. J. Q. Adams now renewed the motion which had been made in committee by Mr. Foot, to strike out the words "Great Britain" and "Russia," from the appropriation for salaries of foreign ministers; and accompanied his motion by a succinct enumeration of the grounds on which he opposed it.

Which motion after debate was negatived, yeas 68, nays 122. Mr. Jarvis moved to reconsider the vote in favor of a part of Mr. Vance's amendment, on the subject of the salaries of the custom house officers; and the question of reconsideration being taken by yeas and nays, appeared as follows: yeas 87, nays 94. So the house refused to reconsider.

Mr. Davis, of S. C. now moved the following amendment.

"Provided that so much of the sums herein appropriated for the payment of the salaries of the ministers to Great Britain and Russia, shall not be expended, unless the appointment of said ministers shall have been made with the consent and advice of the senate; nor shall any part of the sum herein appropriated for the contingent expenses of all the missions abroad, or for the contingent expenses of foreign intercourse, be expended in the salary or outfit of such minister or ministers, unless such appointment shall be made during this session of congress, by and with the advice and consent of the senate."

Mr. Davis supported this amendment by an eloquent speech, in which he urged the house to make one united effort to effect a resurrection of the constitution. Alarming as were the usurpations on the part of the executive, those by the house were ten times more so.

Mr. Bynum, of N. C. replied in an exceedingly earnest speech, in which he repelled the charge of usurpation on the part of the executive, and alluded to the attack upon the bank, as affording only a second part of the victory of New Orleans.

Mr. H. Everett remarked with alarm on the position taken in Mr. Bynum's speech, that the president was responsible alone to the people, which he conceived to be setting aside the constitution entirely, in its provisions relating to the legislative powers, and tending to annihilate the structure of our government. Mr. E. was led by the course of things, in and out of the house, to doubt whether the executive did not propose to appoint ministers without the concurrence of the senate; and he called upon his friends, if they had authority to do so, to disavow, on the part of the president, all claim to the right of doing so.

Mr. Ewing spoke with much earnestness in reply to Mr. Bynum, reproaching the practice, now becoming, he said, so common in the house, to answer all arguments by a reference to the battle of New Orleans. There had been no remonstrances before congress against that battle. Mr. E. venerated general Jackson; but against the acts of president Jackson he must protest, on behalf of his constituents.

Mr. Wise moved to amend Mr. Davis's amendment by adding the words "unless a vacancy shall happen during the recess of congress."

Mr. Davis accepted this as a modification.

Mr. Boon moved the previous question; but the house refused to second the motion—yeas 77, noes 82.

After a long and animated debate, Mr. Davis's amendment was lost, yeas 45, noes 122.

Mr. J. Q. Adams moved to amend the bill, (as he had previously proposed in committee of the whole) by striking out the

outfit and salary of a charge des affairs to Buenos Ayres; which motion was negatived, yeas 53, nays 101.

Mr. Lincoln moved to strike out the item of "\$31,000 for extra clerk hire in the post office department."

Mr. L. briefly supported his motion. He stated the debts of the department to be \$1,029,000, and said the postmaster general had admitted that he could not get along without aid from congress to the amount of \$450,000.

Mr. Connor replied to Mr. Lincoln, and stated the department was not in debt more than \$300,000 beyond its available funds.

Mr. Pearce was authorized to say that \$100,000 would pay all claims against the department.

Messrs. *Wilde, Bates, Whittlesey* and *Reed*, severally addressed the house in favor of the amendment, and were replied to by Mr. *Hawes*.

Mr. *McKay* moved an amendment prohibiting the postmaster general in future from employing extra clerks.

Mr. *Cave Johnson* moved the previous question; but afterwards withdrew it.

Mr. *Lincoln* opposed the proviso moved by Mr. *McKay*, and the latter gentleman withdrew it.

The question was now taken on Mr. *Lincoln's* motion to strike out the item for extra clerk hire, and it was decided as follows, yeas 56, nays 96. So the motion was rejected.

Mr. *Wilde* now moved to strike out the clause "for an agent at Havana, \$4,500."

Mr. *Polk* insisted that the appointment was useful and important.

Messrs. *Wilde* and *McKay* admitted its usefulness but resisted the principle of creating, by an appropriation, an officer unknown to the law.

The yeas and nays being ordered, the motion to strike out failed by a vote of 69 to 91.

The bill was now ordered to be engrossed and read a third time on Monday next.

On motion of Mr. *Wardwell*, after a session of fourteen hours, the house adjourned at one o'clock, in the morning, to meet on Monday next.

*Monday, May 12.* The general appropriation bill was taken up, read the third time and passed.

The bill making appropriations for the army, returned from the senate with amendments, was taken up in committee of the whole, the amendments reported to the house and agreed to, and the bill finally passed by the house.

On motion of Mr. *Stewart*, the bill from the senate for the repair and extension of the Cumberland road, was taken up, twice read and referred.

On motion of Mr. *Selden*, the house then again took up the consideration of the memorial from the county of Oneida, which was presented on Monday last, by him, accompanied by a motion that a committee, consisting of one member from each state, be appointed to consider, and report, in form of a bill, a plan for a safe and uniform currency, under authority of the U. States; and that the memorial of the citizens of Oneida county be referred to that committee.

Mr. *Selden* delivered his views at large in support of the object of the memorial; and particularly in reply to the previous remarks of Mr. *Beardsley*.

Mr. *Beardsley* replied.

Mr. *Plummer*, of Mississippi, now obtained leave of the house to explain in reference to the report in the National Intelligencer of the reply of his colleague Mr. *Cage*, and read certain paragraphs which he said had not been delivered in the house, and that he should hold the editors of the Intelligencer responsible for the personalities therein contained.

The chair interposed, and arrested his remarks as transcending the leave of the house.

Mr. *Cage* obtained leave to reply, and went into an explanation, in which he exonerated the editors of the Intelligencer, and assumed the responsibility of the speech published, but declined a personal discussion with his colleague on the floor.

Mr. *Plummer* rejoined.

After a few words of rejoinder by Mr. *Cage*,

Mr. *Brown*, of New York, moved to lay the memorial from Oneida county and the resolution on the table.

Mr. *Selden* remonstrated, and wished only for a vote, without debate.

Mr. *Brown* refusing to withdraw his motion,

Mr. *Williams* demanded the yeas and nays.

Mr. *Clay* moved a call of the house; but it was negatived.

The yeas and nays were then taken, and had been proclaimed by the chair to be yeas 89, nays 89; and that the chair voted in the affirmative.

Mr. *Garland*, who had voted in the negative, but whose name had, by mistake, been recorded as in the affirmative, had the record corrected.

Whereupon, Mr. *Hawes* changed his vote from the negative to the affirmative.

This left the state of the vote as before, as follows:

YEAS—Messrs. *Wm. Allen*, *Beale*, *Bean*, *Beardsley*, *Beaumont*, *Bockee*, *Bodie*, *Boon*, *Boulidin*, *Brown*, *Bunch*, *Burns*, *Bynum*, *Cambreleng*, *Chaney*, *Chinn*, *S. Clark*, *Clay*, *Clayton*, *Cramer*, *Day*, *P. Dickerson*, *Dunlap*, *Felder*, *Forrester*, *Foster*, *Fowler*, *Wm. K. Fuller*, *G. Albrith*, *Gamble*, *Gholson*, *Gillett*, *Gilmer*, *Gordon*, *Joseph Hall*, *Thomas H. Hall*, *Halsey*, *Hamer*, *Harrison*, *Hathaway*, *Hawkins*, *Hawes*, *Howell*, *Abel Huntington*, *Jarvis*, *Richard M. Johnson*, *Noahiah Johnson*, *Seahorn*

*Jones*, *Benjamin Jones*, *Kavanaugh*, *Kinnard*, *Laue*, *Lanang*, *Luke Lea*, *Thos. Lee*, *Loyal*, *J. K. Maan*, *Mardis*, *Moses Mason*, *McIntire*, *McKay*, *McKinn*, *McKinley*, *McVean*, *Miller*, *Robert Mitchell*, *Page*, *Parks*, *Parker*, *Pattou*, *Patterson*, *Peyton*, *F. Pierce*, *Pineucy*, *Plummer*, *Polk*, *Schneck*, *Schley*, *Shinn*, *Standifer*, *Sutherland*, *Wm. Taylor*, *Wm. P. Taylor*, *John Thomson*, *Turril*, *Van Houten*, *Wagener*, *Wardwell*, *Webster*, *Whalon*, *C. P. White*—89.

NAYS—Messrs. *J. Q. Adams*, *Heman Allen*, *John J. Allen*, *Chilton Allan*, *Anthony*, *Ashley*, *Banks*, *Barber*, *Barnitz*, *Barlington*, *Bates*, *Baylies*, *Beatty*, *Binney*, *Briggs*, *Bull*, *Burges*, *Cage*, *Campbell*, *Chambers*, *Chilton*, *Wm. Clark*, *Clowney*, *Connor*, *Corwin*, *Coulter*, *Crane*, *Darlington*, *Davenport*, *Deberry*, *Denning*, *Denny*, *Dickson*, *Duncan*, *Horace Everett*, *Fillmore*, *Philto C. Fuller*, *Fulton*, *Garland*, *Gorham*, *Graham*, *Grimm*, *Hiland Hall*, *Hard*, *Hardin*, *James Harper*, *Hazeltine*, *Henderson*, *Heister*, *Jabez W. Huntington*, *William C. Johnson*, *King*, *Laportic*, *Lewis*, *Lincoln*, *Love*, *Lucas*, *Lyon*, *Martindale*, *Marshall*, *McCarty*, *McKenna*, *Mercer*, *Milligan*, *Moore*, *Murphy*, *Osgood*, *Potts*, *Ramsay*, *Reed*, *Reucher*, *Selden*, *Wm. B. Shepard*, *W. Slade*, *C. Slade*, *Sloane*, *Spanler*, *Stewart*, *Pullemon*, *Thomas*, *Turner*, *Tweedy*, *Yancey*, *Vinton*, *Ward*, *Watnough*, *Elisha Whittlesey*, *Wilde*, *Williams*, *Wilson*, *Wise*, *Young*—89.

The speaker voting in the affirmative, the memorial from Oneida county, with Mr. *Selden's* resolution, thereupon was laid upon the table.

Memorials, resolutions, &c. favorable to the restoration of the deposits, &c. were presented, by Mr. *P. C. Fuller*, from 358 electors of the town of Wheatland, Monroe county, N. Y.; by Mr. *Dickerson*, from inhabitants of Elizabethtown, N. J.; by Mr. *Parker*, the proceedings of a state convention held at Trenton; by Mr. *Chambers*, of Penn. from citizens of his district; by Mr. *Fowler*, from a meeting in Warren county, N. J.; by Mr. *Barnitz*, from two public meetings in York county, Pa.; by Mr. *Banks*, from 680 citizens of Mifflin county, Pa.; all which were read, referred, &c.

Memorials, resolutions, &c. approving the removal of the deposits, &c. were presented, by Mr. *Whalon*, from 700 inhabitants of Warren county, N. Y.; by the same from a public meeting of Essex county, N. Y.; by Mr. *Parker*, from a meeting of citizens of Middlesex county, N. J.; by the same from 1,443 citizens of the same county; by Mr. *Henderson*, from a meeting of citizens of Huntingdon, Pa.; by the same from citizens of Mifflin county, Pa.; all which were read, referred, &c.

The house adjourned.

*Tuesday, May 13.* The further consideration of the reports on the contested election between Messrs. *Leitcher* and *Moore*, was postponed until Tuesday next.

Mr. *Wise* presented a memorial from Yorktown and the adjacent counties of Virginia, relative to the erection of a marble column at Yorktown commemorative of the surrender of Cornwallis, &c.

Mr. *Wise* also presented a memorial from the county of Gloucester, Va. protesting against the removal of the deposits of the public money from the bank of the United States, and praying the restoration thereof, which memorial was read; when

Mr. *Wise* moved that the said memorial be referred to a select committee of seven members, to be chosen by ballot, with instructions to report the following resolutions:

*Resolved*, That the custody and control of the moneys of the United States, not appropriated by law, and not disbursed under appropriations by law, are, by the constitution, placed under the order and direction of the congress of the United States, which order and direction must be made by law in the form of bills or joint orders, votes or resolutions, upon which the president of the United States has simply the power of a negative, subject to a vote of two-thirds of each house of congress.

*Resolved*, That no change of the constitution of the United States is necessary to authorize the congress of the United States to entrust the custody of the public money, not appropriated by law, and not disbursed under appropriations by law, whenever or howsoever obtained, to other agency than that of the executive department, and that the custody of the public money must not be necessarily, under the constitution, intrusted to the executive department.

*Resolved*, That congress can take out of the hands of the executive department the custody of the public property or money, without an assumption of executive power, or a subversion of the first principles of the constitution.

And that said committee be further instructed to report such measures as it may deem necessary and proper to provide for the future safe-keeping, control and disposition of the public property and moneys, and to assert, maintain and protect the constitutional powers of congress over the public property and public moneys.

Mr. *Boon* asked the unanimous consent of the house to take up the joint resolution heretofore submitted by him, fixing a day (the 31st inst.) for the adjournment of congress.

Objections being made, Mr. *Boon* asked and obtained leave of the house to suspend the rule, by a vote of 152 to 12.

After some explanations, Mr. *Boon* moved his resolution in a modified form, to read as follows:

*Resolved*, That the president of the senate, and the speaker of the house of representatives, close the present session of congress by an adjournment of their respective houses on Monday the 16th day of June next.

After various amendments being suggested and considerable debate had, the further consideration of the subject was arrested by the orders of the day.

The speaker laid before the house the following communication:

"*New Haven, 9th May, 1834.*  
SIR: I have this day resigned my seat as a member of the 23d congress. Yours, very respectfully,  
SAMUEL A. FOOT.

"The hon. the speaker of the H. R."  
The house took up the commutation pension bill, and after a warm debate, in which several took part, it was finally recommended to a committee of the whole house; and then the house adjourned.

Wednesday, May 14. After disposing of a large number of private claims,  
The house took up the bill making appropriations for the Indian department for 1834.

Various amendments being offered, discussed and withdrawn, Mr. Lewis, of Ala. moved *pro forma*, an item of \$500,000 to enable the government to extinguish Indian claims to lands in the state of Alabama—negative.

After some further progress being made in the bill, it was laid aside to be reported, and the committee took up the Indian annuity bill, and after undergoing various amendments, was, together with the other bill reported to the house; and then the house adjourned.

Thursday, May 15. After some minor business had been disposed of,

Mr. Boon, asked the unanimous consent of the house to take up the resolution heretofore submitted by him proposing an adjournment of congress on the 16th June, proximo.

Objection being made, the house by a vote of 136 to 23 agreed to suspend the rule, and the resolution was taken up, when Mr. Hardin moved to strike out "the 16th June" and insert "the 2d July." Mr. H. supported his amendment, in a speech of considerable length, on the ground that the public and private business could not be advantageously disposed of before the time contemplated by his amendment.

Mr. Campbell thought it was evident, under the present state of the business before the house, that they were not prepared to fix a day for the adjournment of congress, and he therefore moved to postpone the further consideration of the resolution until Thursday the 29th instant, which motion, after a long and animated debate, prevailed by a vote of 116 to 85.

The bill making appropriations for the Indian department for 1834, was taken up, amended and ordered to its third reading.

The house in committee of the whole, took up the Cumberland road bill from the senate, and no amendment being proposed, it was reported to the house.

The harbor bill was taken up, amended, and laid aside for the present; and then the house adjourned.

DEBATE ON THE AMERICAN TREATY.

From the National Gazette. (Translated from a Paris newspaper.)

Mr. George Lafayette rose to speak on a personal subject. (Attention.) I have been, said the honorable member, so clearly designated by the member who spoke last, that I think myself entitled to request of the chamber a moment's attention. I do not rise to defend the commission, of which I had the honor to be a member, from the charge of being under any influence whatever, while deliberating on the important subject committed to it; but I wish to state a matter of fact, on which I find there is some misapprehension. My father was not a member of that commission; I, alone, was one of the commissioners. Surely, I did not pretend to exercise there any personal influence; but the strength of my conviction was not sufficient to induce the majority to agree in opinion with me, and I remained in the minority, though strongly convinced that there was more due to the U. States, than the majority were willing to grant.

Mr. Jay, reporter of the committee, then rose, and in support of the bill of appropriation, he read a letter, addressed to him by general Lafayette, (detained at home by sickness), in order to prove the good faith of the United States. The letter is in these words:

"While I regret that I cannot take part in the debate respecting the American treaty, the almost unanimous report of the committee, and the more profound knowledge acquired during this year respecting this great interest, in which justice, policy, commerce, and the freedom of the seas are involved, render it useless for me to repeat the observations which I made at the last session, but there are facts, which I might have attested as a witness, and which I now submit to my honorable colleague, the reporter of the committee.

"1. I know that the date of the repeal of the Berlin and Milan decrees, is anterior to the seizures and destructions for which an indemnity is claimed. I was myself the bearer of a message on the subject.

"2. Although the United States are the only power that remained unconnected with the coalitions against France, an offer was made to them by the allies, then all powerful, to join their claims to those which they preferred, and the payment of which they obtained. That offer was worthily declined by Mr. Crawford, the American minister at Paris. He declared that the United States, far from making common cause with the enemies of France, would wait until their accounts could be settled as between friends.

"3. I saw Mr. Barlow set off for Wilna in the full conviction, from the correspondence of the imperial cabinet, that the American claims should obtain a favorable decision; and at the moment of our revolution of July, Mr. Rives thought himself sure of terminating his negotiation, even with the ministry of the restoration; which, nevertheless, left no obligation to the United States, for having remained the friends of France, while France was in friendship with her enemies.

"4. Among the classes of claims admitted in the report, I do not perceive the *Antwerp seizures*, although my memory was perfectly clear on the subject. I had recourse to the recollections of the duke of Bassano, whose contemporaneous authority, in his situation at that time, is superior to any distant and posthumous assertion. I am then able to say, that no confiscation was decreed, and that the sale of the property had no other object than to prevent its deterioration; that there was a disposition to admit the justice of a claim, supported by the act of the government itself, which, in fact, considered the merchandise deposited in the *caisse d'amortissement*, as American property, which makes an additional sum of more than two millions, without reckoning the *Maria* and her cargo, involved in the same measure.

"It is from these positive data, and others of the same kind, founded on the fact of moneys, which, in my opinion, unjustly, but, nevertheless, have entered into the public treasury, that even after allowing for the French claims, I had in my conscience, as an honest arbitrator, estimated the American claims at the sum of thirty millions, and this amount is not so unjustifiable as some have thought proper to say, while I yield all the honor due to the administration which has reduced the treaty to narrower limits."

Extract of a letter from general Lafayette to his correspondent in Philadelphia, dated 2d April, 1834.

"It is with the deepest affliction and with the liveliest displeasure that I write to you, and to you alone, on the subject of what happened yesterday; the American treaty was rejected by a majority of a few votes. M. de Broglie very honorably sent in his resignation this morning; general Sebastiani, the author of the treaty, has done the same. You will be, as I have been, surprised to see that several members of the *cote gauche* have sided against the treaty. I am still sick, but with a fair hope of recovery, provided I do not commit any imprudence; that danger, however, would not have prevented me, as you may well suppose, from appearing in the house; but my friends used so many arguments to dissuade me from going, that I, at last, was obliged to yield. It is best, perhaps, that I should repress the expression of my feelings upon this subject; I shall therefore speak of my sentiments for you," &c.

RHODE ISLAND.

A special session of the Rhode Island legislature, just elected, having been convened by gov. Francis, in order to supply the state senators who failed of their election, the following joint resolutions have passed that body:

STATE OF RHODE ISLAND, &c.

In general assembly, May session, A. D. 1834.

Resolved, That in the opinion of this general assembly, the removal of the public money from the bank of the United States, in which by law and contract it was required to be deposited, was a measure unwarranted, ill-advised and injurious to the public interest.

Resolved, That in the opinion of this general assembly, the public interest requires, "that the deposits of the money of the United States shall in future be made in the bank of the United States and its branches," and that the said bank be allowed to perform its duties to the United States enjoined by its charter, viz: "To give the necessary facilities for transferring the public funds from place to place, within the United States or the territories thereof, and to distribute the same in payment of the public creditors, without charging commissions, or claiming allowance on account of difference of exchange, and to do and perform the several and respective duties of commissioners of loans for the several states."

Resolved, That in the opinion of this general assembly, a national bank is necessary to the exigencies of the government; necessary to the maintenance of a sound, uniform and permanent national currency; to the maintenance of the general credit and confidence; and to the accommodation of the internal and foreign trade and business of the country.

Resolved, That to guard against fluctuations in the national currency, to prevent the embarrassments and derangements in business, which must always be experienced and practised between the closing of the concerns of one great national bank and opening of another; and to avoid the speculations always practised upon such occasions, it is the opinion of this general assembly, that the greatest possible stability ought to be given to a bank, established as a national institution, for national uses and purposes.

Resolved, That his excellency, the governor, be requested to forward copies of these resolutions to each of our senators and representatives in congress.

On motion, the question on the resolutions was taken by sections, and passed by the following votes: 1st resolution, 18 majority; 2d do. 15 maj.; 3d do. 46 maj.; 4th do. 28 maj.; and the 5th resolution, unanimously—and sent to the senate for concurrence. The house then adjourned.

## BALTIMORE JACKSON MEETING.

Pursuant to a call from the Jackson republican convention of the city of Baltimore, a meeting of the friends of the national administration assembled in Monument Square, on the evening of Wednesday, the 7th instant. On motion of col. U. S. Heath, the meeting was organized, and William Frick, esq. was called to the chair, and Messrs. Henry R. Launderman, Walter Price, Nicholas Myers, John E. Stansbury, Joshua Turner, Michael Klinefelter, Abraham Sliver, John McAllister, Edward Priestley, Jonathan Fitch, Joel Vickers, Thomas Parkin Scott, James Webb, William J. Wight, George Gardiner, Jesse P. Wight, James George, John C. Rau, Jacob Zimmerman, Stephen Waters, John Buddy, William Ball, sen. Charles Perego, were chosen vice presidents; and, Charles Howard, Richard Lilly, Alexander Waters, Joshua Vansant, Samuel Lucas, William Lindeberger, were appointed secretaries.

The president stated the object of the meeting, when the following preamble and resolutions were offered by col. B. C. Howard, and seconded by Mr. Samuel Brady—viz:

Whereas, measures have been recently adopted by the opponents of the national administration, in this city, eminently calculated to agitate the public mind, and to call for a reiterated expression of the firmness of its friends—therefore, be it

**Resolved**, That the Jackson republicans, of Baltimore, retain the warmest feelings of gratitude, affection, and respect towards the venerable president of these United States, and repose entire confidence in the wisdom and purity of his administration; and that they regard with disapprobation, exceeded only by their regret, the violence which characterises the general course of the opposition.

**Resolved**, That they decidedly condemn and earnestly deplore the appeal to force from the decision of the ballot box, which has so repeatedly been urged by leading members of the opposition in congress, and their partisans of the press, and among the people—because, whilst so rash and mistaken a course would fail to change the measures of the administration, or shake the resolution of its friends, it would in lawless disregard of the injunctions of the constitution, introduce confusion into a now peaceful community, and bring lasting discredit upon our republican institutions.

**Resolved**, That it is the essential principle of our government, that the popular will should be deliberately consulted and truly expressed upon all questions of national policy; that the president has, throughout his administration, faithfully conformed to the wishes of the people, clearly manifested, and that in the "late executive proceedings in relation to the public revenue," he has "not assumed to himself authority and power, not conferred by the constitution and laws," or "in derogation" of either.

**Resolved**, That the Jackson republicans of Baltimore disapprove and deeply regret the conduct of a majority of the senate of these United States, in assuming in its capacity as a legislative body, judicial authority; and in recording, in violation of decorum, justice and of the spirit of the constitution and in contemptuous disregard of the known will of the constituents of several who concurred in the act, a sentence of condemnation against the president for measures, which, had they been of the character imputed, would justly have subjected him to an impeachment, for the unprejudiced trial of which the senate, under the constitution, is the designated tribunal.

**Resolved**, That in this perversion of the high functions of the senate, is displayed the consummation of a system of persecution which has been continued against Andrew Jackson from the close of the late war, when he was found in the enjoyment of vast and well earned popularity, when it was foreseen what an obstacle he would prove to the career of ambitious rivals. Hence, that unsuccessful struggle to tear from his brow the laurels of the Seminole campaign. Hence the hardy attempt to cross the popular design to raise him to the presidency. Hence the declaration of unbecoming opposition when the president had scarcely taken the oath of office and the course of his administration was yet unknown. Hence the unprecedented spectacle which so long offended the delicacy of the American people, of an individual notoriously a candidate for the highest office in their gift, traversing the country to utter inflammatory harangues and fill the public ear with abuse of his rival.

**Resolved**, That the unjust course pursued by the senate is the more reprehensible, as having been effected under cover of evasive generalities, by an unnatural coalition of nullifiers and determined opponents of state rights, for the purpose of embarrassing the administration of Andrew Jackson, whose moderation and firmness, in carrying into effect the popular will, have controlled the errors of both.

**Resolved**, That in the opinion of this meeting the present crisis is pregnant with the fate of our national institutions. That a contest is raging between the popular and the aristocratic principle, upon the issue of which it will depend whether the American people shall continue free.

**Resolved**, That under the auspices of a political party, marshalled by leaders of distinguished abilities, a rancorous corporation created for national purposes by the national legislature, but which has proved superior to and regardless of legislative restraint; a corporation which avowedly controls the whole industry of the country, which by its insidious and oppressive policy has carried distress and ruin into the dwellings of thousands, now collects its energies for the vital struggle which shall decide the question of supremacy between itself and the people. Ambitious aspirants for political station, and many

well meaning but mistaken citizens have enlisted in its cause. Private patronage is lavished or withdrawn to seduce or intimidate opposition, and an unlimited control over the treasury of the bank (including what belongs to the nation) is placed at the disposal of a single officer, to be applied as he sees fit for the promotion of its designs. Against this vast array of influence and power, but confident in the virtue and patriotism of his countrymen, Andrew Jackson stands the undisputed champion of the people. On their intelligence he relies to sustain their dearest rights. To their justice he appeals for the vindication of his private honor, and on either issue they will firmly sustain him.

The meeting was addressed in support of the resolutions by col. B. C. Howard, Mr. Samuel Brady, Mr. Wm. Geo. Read, Mr. John Neilson and col. U. S. Heath, and the question being put, they were adopted unanimously.

WILLIAM FRICK, chairman.

Henry R. Launderman, Walter Price, Nicholas Myers, Jno. E. Stansbury, Joshua Turner, Michael Klinefelter, Abraham Sliver, John McAllister, Edward Priestley, Jonathan Fitch, Joel Vickers, Thos. Parkin Scott, James Webb, William J. Wight, George Gardiner, Jesse P. Wight, James George, John C. Rau, Jacob Zimmerman, Stephen Waters, John Buddy, William Ball, sen'r. Charles Perego—*vice presidents*.

Charles Howard, Richard Lilly, Alexander Waters, Joshua Vansant, Samuel Lucas, William Lindeberger—*secretaries*.

## THE POLISH EXILES.

IN SENATE—TUESDAY, APRIL 29, 1834.

Mr. Poindexter made the following report, (accompanied by a bill to carry into effect the object recommended.)

The committee on public lands, to which was referred the petition of Lewis Banczakiewicz and others, acting as a committee for and in behalf of two hundred and thirty-five Poles, transported to the United States by the orders of the emperor of Austria, have had the said petition under consideration, and submit the following report:

The committee do not admit the justice or policy of granting any portion of the public domain to emigrants from foreign countries who voluntarily seek an asylum on our shores from arbitrary governments of Europe.

Neither the usages of civilized nations, or the principles of our free institutions require of this government more than is due to the rites of hospitality and the protection of the laws, to the inhabitants of the old world who come among us to enjoy the blessings of liberty, and partake of the general prosperity and happiness of this highly favored country. These have been uniformly extended, and in no instance denied, to foreigners of every nation, besides the privilege of becoming naturalized citizens according to the liberal system established by law for that purpose.

To justify a departure from this general rule, in any particular case, facts and circumstances, appealing forcibly to the benevolence of the nation, ought to be clearly demonstrated as the basis on which the exception is founded. The committee have attentively considered the peculiar condition of these unfortunate exiles from their native land, in connection with the strong claims which they seem to present for relief, and have unanimously agreed to recommend their case to the favor of the senate. The history of the recent revolution in Poland is so well known and understood, that any attempt to recapitulate the events of that glorious and arduous struggle in the great cause of human liberty may be deemed superfluous and unnecessary. These petitioners constitute a small remnant of that gallant army who engaged in the desperate and unequal conflict with the overwhelming power of the Russian empire, and who firmly resolved that Poland should be free or be blotted forever from the map of nations. They bravely fought for the independence of their country, to which they were bound by every feeling of patriotism and affection; they won many battles by prodigies of valor never surpassed in any age or country; they stood undismayed by the powerful enemy against whom they had to contend, and confidently appealed to the sympathies of the civilized nations of Europe to sustain them in a cause so just; but their appeals were made in vain, and their hopes were destined to end in cruel disappointment.

This short and bloody war terminated in the overthrow of a persecuted, brave, and generous people, contending for their long lost liberty, and the restoration of their ancient rights, as one of the great family of independent nations. Overpowered by numbers, and driven by repeated defeats to the verge of despair, the noble chivalry of Poland retired from the contest, and bade farewell to freedom, country, and every thing dear to the heart of civilized man. These petitioners, it appears, sought refuge and protection in the provinces of Austria and Prussia, asking only a passage into France, which, they allege, was promised them by the Austrian government. They assembled at the city of Brinn, in Moravia, to receive their passports according to previous assurances given them, when they were suddenly arrested, thrown into close confinement, and, after an imprisonment of three months, the alternative was presented to them of returning to Russia, or of embarking on board an Austrian vessel for transportation to the United States of America. They accepted the latter proposal, and were removed to Trieste; again imprisoned three months, and finally embarked on board two Austrian frigates prepared for the purpose; and, at the expiration of a voyage of four months and ten days, were landed in the city of New York, at which place their petition is dated. These

facts are set forth by the petitioners, and the committee have no reason to doubt their accuracy. The question then arises whether this government ought to extend its beneficence to these petitioners, and grant to each of them a few acres of land for actual cultivation, on which they may find a new home, where, by honest industry, they may earn a comfortable subsistence for themselves and their families, free from the persecutions of their inexorable oppressors?

The committee believe that both principle and precedent combine to recommend the adoption of such a measure, under suitable modifications and restrictions. The emigrants from France, in the year 1817, who were expelled from their country soon after the downfall of the emperor Napoleon, received a grant of four contiguous townships of land in Alabama on the most favorable terms, amounting nearly to a donation. Many similar grants are to be found on our statute book, made to individuals and associations for useful or benevolent purposes. Again, in the year 1812, congress actuated by like feelings and considerations, appropriated the sum of \$50,000 to the sufferers by an earthquake at Venezuela. But, without regard to these cases, in which the general principles of legislation were departed from, the committee perceive in the circumstances, under which these emigrants ask of congress a grant of land, enough to warrant the conclusion at which they have arrived in favor of the prayer of the petitioners. Poland, so often the theatre of sanguinary wars, originating in violations of solemn compacts on the part of those powers by whose combined arms that ill-fated country was conquered and partitioned, made a last desperate and expiring effort to regain her freedom and independence. The surrounding nations looked with cold indifference on the struggle, evidently prepared, if necessary, to render their aid to the emperor of Russia in the subjugation of the Polish army. The result, though for some time suspended by the valor of that small and inadequate force, was at no period of the conflict doubtful. The army was dispersed, the country desolated, the fugitives who escaped the general slaughter were denied the hospitality of neutral states, and could find no resting place on the territories of the crowned heads, whose despotic rule they had resisted in asserting the natural and inherent right, as freemen, to govern themselves. Expelled from their own country, imprisoned in Austria and Prussia, refused permission to enter France, they were left to choose between despotism, and perhaps the gibbet, by returning to Russia, and involuntary transportation to these states, where they now enjoy, for the first time, the protection of the laws, and the rights and immunities which belong to the human race, wheresoever they may be cast by the dispensations of Divine Providence.

Humbled by misfortunes; deprived of a country and a home; destitute of the ordinary means of subsistence; in a strange land, whose language they do not speak or understand, and with whose customs they are wholly unacquainted, these petitioners throw themselves on the liberality and clemency of a magnanimous people, and a free government, for a habitation where they may repose in peace and safety, and where, by the labor of their own hands, they may be enabled to rescue themselves from their present wretched condition of want and dependence. The committee think that, in granting the prayer of the petitioners, this government will manifest a proper regard for the sufferings of the unfortunate of all countries who may be cast on our shores; a comity due from one portion of the human family to another, which ought to be acknowledged and felt by all; and thereby exhibit to the civilized world a glowing contrast between the arbitrary rulers who oppress and persecute these exiled patriots and fallen defenders of liberty, and the chivalry of a free people who receive them with a friendly welcome and provide for their immediate necessities. The noble example may not be lost in its effects on the great cause of free principles. The history of our own glorious struggle for liberty and independence, and of the distinguished foreigners who mingled in the conflict, is well calculated to urge the claim of the petitioners to the relief which they ask at our hands. Shall the countrymen of Pulaski, of De Kalb, and of Kosciusko, supplicate in vain the descendants of the patriots of the revolution for succor and support, when the tyrants of Europe refuse them a resting place, because they are the soldiers of liberty? The committee think not, and, in this opinion, they confidently rely on the cordial co-operation of the senate, and of the great body of the American people. The committee, therefore, without entering into the question of pecuniary assistance which they respectfully leave to the sound discretion of the senate, unanimously concur in recommending that a donation of one entire township of land, to be located under the direction of the president of the United States, in the state of Illinois, or territory of Michigan, be granted to the two hundred and thirty-five Poles, and divided among them in equal proportions, for actual habitation and cultivation; for which purpose they report a bill.

#### GENERAL POST OFFICE.

SPEECH OF MR. LINCOLN, OF MASSACHUSETTS,

In the house of representatives, April 25.

In committee of the whole, in support of his motion to strike from the appropriation bill the provision for extra clerk hire in the post office department.

Mr. Chairman—Fully aware, as I am, of the impatience of gentlemen to get this bill through the committee, it is with unaffected embarrassment and distrust that I oppose any obstacle to their progress in the accomplishment of the object. I pray the committee to believe that a sense of public duty, more im-

perative than any regard to personal considerations, constrains me to the humble part which I may take in this discussion. I shall make no protestations of a disinclination to embarrass the debate, or create unnecessary delay in its issue; nor will I stop to disclaim intentions to impede the operations of the government, or vex its administration. Such purposes would be unworthy the position of a representative on this floor, and no one can have a right to impute them. Neither will I enter into any stipulations for brevity in my remarks, or repeat promises, too often made, to save time, and too little regarded in the very apologies for its consumption. For whatever attention I may receive, I shall be grateful, and shall best requite it by avoiding an unreasonable claim to indulgence.

Certain extraneous circumstances have been forced into the debate upon this bill, to which it is proper I should give a passing notice. When I had last the honor of addressing the committee, upon a preceding clause in the bill, it was my misfortune, surely not an intentional fault, to have excited a tone of reply equally unexpected and unmerited. Sir, I was greatly misapprehended; and, so far as the animadversions of gentlemen may reach, I shall be somewhat injuriously misrepresented. It may, therefore, be pardoned to me, if I first attempt to place these matters in a proper point of light. I would fain stand well abroad, but I would, at present, more earnestly desire not to be misunderstood in this house. An honorable gentleman, on that occasion, whose attention I had neither provoked nor coveted, did me the injustice to charge upon me two or three *panic* speeches, as he was pleased to term them, on the subject of the bank and the deposits. The charge was alike uncalled for and unfounded. It did not occur to me as worth while, at that time, to repel the offensive insinuation which was conveyed in the remark; but now, in my place, I take leave to say, that, in a period of eight weeks in which I have had the honor of a seat here, I have presented but a single memorial, and that from my immediate constituents, accompanied with such explanations as, within the rule, were permitted without interruption by the honorable speaker. I have, in a single instance only, addressed myself to the attention of the committee, occupying by their indulgence, some fifteen or twenty minutes of the time of the house, and once I have risen in my place to ask the indulgence of the house in permitting me to offer a resolution for information from one of the departments, which indulgence I was not so happy as to obtain. Will the gentleman now say that this was obtrusive? Sir, my *offending* hath this extent—no more.

Another honorable gentleman, on the same occasion, saw fit to rebuke what he was pleased to regard as an attack on the *personal* character of the postmaster general. This intention, on my part, was promptly disclaimed. With the personal character of that high officer, I neither, at that time, nor shall I now, intermeddle; but as I may have occasion *now* as *then*, to advert to the department over which he presides, and shall doubtless again speak with some degree of freedom of its management and condition, I should hope not again to be misunderstood. Whatever, therefore, of reference shall be made to him, will have respect to his official conduct. It is no part of my design to render the postmaster general personally obnoxious to this house, or to this nation. In the unpropitious circumstances of the times, I see nothing of encouragement to such an effort, should it even be successful. I have no hope of improvement from any change which is likely to be made. In the character or qualifications of those most frequently named as competitors for the office, there is to my mind, little of preference over the present incumbent. On this subject I take counsel from the homely adage, that "in looking further we may fare worse."

Another honorable gentleman thought it becoming the opportunity, to object to my sentiments, that they were in accordance with that course of opposition to measures of supply, which, in a former period of the history of the country, characterized my predecessors on this floor, and my constituents at home; and to indulge in taunts and sarcasms on the habits and manners of the people of the state. I did not reply to these remarks then, nor shall I now, further than to say, that neither my predecessors nor my constituents would feel obliged to me, by any admission of an occasion for their defence against an attack so unmanly and illiberal. But in reference to the allusion made by the honorable gentleman, to one of the sources of employment and subsistence of the people of Massachusetts, I beg leave to say, that it will be received by them as cause, least of all, of offence. Let me assure that honorable gentleman, that if he shall ever do the "ancient bay state" the honor of a visit, the proudest of her sons will rejoice in the opportunity to take him by the hand, and, conducting him to the hall of her house of representatives, exhibit to him there, conspicuously displayed, even over the chair of the speaker, the emblem of the industry, and frugality, and enterprise of her citizens, in the ill-selected object of his wit—the image of a *fish*. Mr. Chairman, the people of Massachusetts are not ashamed of their occupations, or their manner of living. They are as adventurous, at least, as they are economical. Their fisheries are no less a source of national wealth, than of individual benefit. Does the honorable gentleman needs be told, that her hardy sons have vexed every sea by their daring enterprise, pursuing *line* and *lance* the tenants of the deep, from the Atlantic shores to the Arctic regions. Does he not know that the fisheries of Massachusetts were the early nurseries of our seamen, those gallant men who have carried your flag in triumph among the nations, and made the very name of America

glorious! Let the gentleman, in future then, spare himself such gratuitous allusions. Reflections upon sectional occupations are always in bad taste; and, if for no other reason, had better never be indulged.

This much I have thought required of me, on this first opportunity of obtaining the floor since I was so severely attacked, in reply to the personal remarks, which, in no sparing measure, were directed towards me.

I now move, sir, to amend the bill under consideration, by striking out the clause which was last read.

That clause relates to the post office department, and is in the following words:

"For additional clerk hire for the year one thousand eight hundred and thirty-three, thirty-one thousand seven hundred and thirty-one dollars and forty-four cents."

The honorable chairman of the committee of ways and means has said, that those who are opposed to the grant of an appropriation have the burden of proof upon themselves. Surely, the condition of the *majority* of this house is sufficiently onerous, without this extraordinary imposition. The burden of proof upon the objectors! It would seem a little more reasonable that those who ask for, and those who would vote the supplies, should show their occasion. But, if this be not so; if, indeed, it were otherwise, it might surely be expected that time and opportunity should be allowed to maintain the issue, on the part of those upon whom the *onus* is so singularly and unexpectedly cast. Yet, what do we witness? From the very moment that the bill was introduced into this committee of the whole, a manifestation of impatience, on the part of the majority, to get it through without debate. And how are the minority treated? Hardly, sir; I will not say oppressively and unjustly, but *hardly*, indeed. Every motion to amend has been considered as captious. Delay is deprecated. The word is, *onward*. Upon a motion to rise, an ominous voice comes up from the very depths of this hall, audible throughout the committee, crying, "I hope not, sir;" and an almost magical response is given to the aspiration, in the accented voice of the majority. An obstinate and unyielding determination is manifested to force the bill into the house. I ask, Mr. Chairman, for what purpose does the house resolve itself into a committee of the whole? Is it not, that there may be the most free and full discussion of the merits of every provision in the bill; that here, and without restraint by the most formal and rigid course of procedure applicable to the house, we may progress and mature, and, as far as may be, perfect this measure of legislation for the subsequent sanction of the house. And how has this been proposed to be done? It was the astounding declaration of the chairman of the committee of ways and means, but yesterday, that, when he came into the house the preceding day, it was his fixed determination *not to leave the hall until he had carried the bill through*, (taking it up almost from its very beginning), and *had it reported to the house*. And the subsequent experience which we suffered, in an uninterrupted session of nine hours, was, doubtless, in execution of this high-handed pre-determination. Sir, it should be known to the country, and, as far as my voice can reach, it shall be made known, that on a measure of the first and highest importance to the interests of this nation, the passage of an *appropriation bill*, authorising the disbursement of *millions* of the public money, and embracing provisions which involve principles of high constitutional moment, as well as of expediency and the soundest discretion, it was contemplated to preclude discussion, by a direct process of coercion over the physical powers of the minority. There are, indeed, as we have seen, more modes than one of applying violence in the business of legislation: the previous question—laying on the table—and exhaustion by fatigue. Abstinence, also, from food and sleep, if long enough continued, will silence speech. Sir, I admonish the chairman of the committee of ways and means not to repeat this "experiment." If the minority must submit to it, their constituents may not. Such a course of procedure, in a matter of personal concern, by one having the power to enforce it, would render void a civil contract. It is nothing short of *duress* and of *imprisonment*. The bill may not be disposed of this day, perhaps not even this week, with the utmost faithfulness and diligence. There are grave questions growing out of its proposed appropriations, which are yet to be deliberately considered. The clause now before the committee; the appropriation for ministers to foreign courts, to which, if no one else shall offer an amendment, I shall feel it a duty, (deferring, however, to any gentleman who will move it), to propose a limitation of the application of the money to the payment of the salaries to such ministers only as have been, or may be, appointed pursuant to the constitution, by the nomination of the president, with the confirmation of the senate of the United States, except in case of a vacancy which may happen during the recess of that body. I may also find it necessary, as I have on another occasion intimated, to offer in the proper time and place, an amendment, to secure the depositors of the public money, for the payment of these appropriations, in the bank of the United States. Let us proceed, then, calmly and dispassionately in the discharge of our duties. On all these subjects there may be, it is manifest, there must be, discussion, more or less extended. Does the honorable chairman of the committee of ways and means again demand of me whether I speak for my friends, as well as for myself? I reply in the manner of my respected colleague, (Mr. Adams), to whom the chairman made the singular proposition, the other evening, of consenting that the committee should rise, upon condition that my colleague

would enter into recognition for the good behavior of his friends on the coming day. It was a *proposition* only, not a "bargain." It would have been the latter, if my colleague had assented to it. He answered, however, that he was not the keeper of his friends. Neither was I authorised to give pledges for others. There is little occasion for concert and combination between those who have but a single object in the execution of a public trust. Theirs is a direct and obvious path, in which intelligence and integrity impel their efforts to produce the same result, in the promotion of the public interests, and the protection of the people's rights.

The appropriation proposed in the clause of the bill which I ask to have stricken out, is objectionable on two grounds. 1st. Because the expense it is intended to reimburse to the post office department, in the employment of extra clerks, the last year, was unauthorised by law; and 2d. Because, it was wholly, or in a great proportion, unnecessary.

The appropriation bill of the year 1833 made provision for the pay of all clerks, whose employment had been previously authorised by congress. Upon recurrence to that bill, it will be seen that the sum of \$41,100 was appropriated for the payment of clerk hire in the post office department. A further recurrence to the treasury estimate of that year, will also show that the compensation to all the officers in the department was proposed in strict conformity to the existing provisions of law in reference, to the creation of their respective offices. The aggregate of the estimate was \$57,100. Deduct from this amount the salary of \$5,000 for the postmaster general, and \$5,000 for two assistant postmasters general, and the remainder is the exact sum of the appropriation for clerks by the bill of 1833, viz: \$41,100. It is to be remarked also, that the estimate makes direct reference to the acts of congress under which, at different periods, and from time to time, as the increase of business in the department required, the number of clerks were authorised. Thus, "clerks per act of 20th April, 1818; clerks per act of 26th May, 1824; clerks per act 2d March, 1827; clerks per act of 24th May, 1828." Both the estimate and the appropriation were thus restrained by relation to the several acts which authorised and limited the number of clerks in the department. By what authority, then, does the postmaster general increase this number two fold, and augment the expense of clerk hire, (by an extra charge of more than \$31,000, now sought to be provided for by a clause in the present bill), from \$41,100 to \$73,831.42? Will congress permit, in this indirect manner, the creation of new offices upon the sole responsibility, and in the pleasure alone, of the chief of a department? By the mere will of the postmaster general, more clerkships have been constituted in a single year, than by all preceding acts of legislation on the subject.

Heretofore, whenever it had been found necessary in the business of the department to increase the number of clerks, congress was called upon to pass a law for the purpose. So it was in 1818, 1824, 1827 and 1828. But not so is it in this era of reform, and strict construction of delegated powers. The postmaster general may, at one sweep, displace old, and faithful, and efficient officers, to make room for inexperienced, unprofitable and subservient dependents; and thus create an occasion for twice-told the legalized number. He obtains from congress an appropriation according to the provisions of law, and, increasing the expense two fold, without consulting congress, claims to be indemnified by a grant to make up the deficiency. Of what avail is legislation upon the subject, under the practice which is now sought to be sanctioned by this committee? Is it not, in truth, a mockery, that laws should be referred to, when the restrictions they impose are utterly disregarded? The very claim of the department is in derision of the authority of congress. We are gravely pointed to the law of 1818, and to subsequent statutes, as the foundation for the estimate of appropriations for clerical expenses in the office of the postmaster general; while nearly one-half the aggregate of those expenses rests upon no estimate, is incurred without law, and comes only to the knowledge of congress in the shape of a demand for its reimbursement.

If additional clerks were wanted in the department, why was not the occasion communicated to congress? Was it less necessary in 1833 to seek authority for the appointment of some *twenty or thirty* clerks, than it was in the year 1828, for instance, to obtain that authority for the appointment of *five*? The case presents this extraordinary aspect; the law limits the number of clerks; the postmaster general, the officer of law, makes the number indefinite. Congress appropriates a sum certain for the payment of clerk hire; the postmaster general, without regard to the appropriation, makes the expense uncertain, by an indefinite amount of extra services. The incident becomes greater than the principal matter. In other times, and under the administration of the same department, by different men, it required the warrant of law to create a single clerkship; now, the discretion or the pleasure of the postmaster general may constitute them by fifties. Formerly, an appropriation was necessary to justify an expenditure; but now, charges are first incurred, and appropriations are sure to follow. We are now, even here, engaged in playing the merest farce. Why debate an appropriation bill? Why not the whole number of clerks whom the postmaster general shall see fit to appoint, be as well provided for without a specific grant? If he may incur an expense exceeding 31,000 dollars, without the previous authority of congress, why may he not the whole sum of the charges of his department? It seems worse than idle

specially to appropriate 41,100 dollars, and leave him at liberty to swell the tax upon the treasury to nearly double that amount. Is it the intention of gentlemen in this house—of the committee of ways and means especially—to sanction this extraordinary and irresponsible exercise of patronage and power? If so, let them come forward and boldly avow it, and it will then no longer be matter for argument.

But the present bill makes no prospective provision for compensation for clerk-hire in the department the *current* year, beyond the amount appropriated the last year. Yet we are told that the deficiency for that year was more than \$31,000. Will less clerical service be required, or fewer clerks employed hereafter, than heretofore? If otherwise, where comes it, that, with the experience of the past, an adequate sum is not proposed for the future? Why make an appropriation of but \$41,100, when it has been made apparent that \$72,831 44 is again to be expended? Is it to conceal from this house and the people the enormous and unmitigated expenses of a prodigal department? Whatever is to be the cost, let it be fairly understood, not covertly and disingenuously encourage a delusive expectation, that a given sum will suffice, which experience has already shown is, by almost double the amount, to be exceeded. As a striking illustration of the unwarrantable excess of expenditure, and the utter disregard of the authority of law, I have only to refer to that authentic record of our departmental abominations, "the Blue Book," so called. It there distinctly appears, that there are five assistants to the messengers, by law, and the very last appropriation bill, provision is made but for two; and in the same unauthorised manner, though in somewhat a less proportion, have the number of clerks been increased.

I proceed now to show, that the expense for extra clerk-hire, sought to be reimbursed to the department through the instrumentality of this bill, was altogether, or in a great degree, unnecessary, and unequalled for, by any corresponding increase of business. I say *reimbursed*, because it is not to be pretended that the clerks are, to this moment, without compensation for their services in the year 1833. They have doubtless long since received their stipulated wages. The postmaster general, from those ample resources of a revenue of two and a half millions of dollars annually, or from the loans he has negotiated with the banks, his over-draughts, or anticipations of the revenue of the present year, has satisfied the claims of these pensioners upon his official liberality. The object, I repeat it, of the present appropriation is to reimburse the department the money which has thus been advanced. Let no one suppose it is to pay the faithful, hard-laboring clerk. The advancement has been made, and when the postmaster general shall show a justification for the expenditure, either by law, or in the exigencies of his office, I will be the last to oppose its being refunded. Mr. Chairman, it is to be regretted that, in relation to this department, the minority of this house, upon whom the chairman of the committee of ways and means would cast the *onus probandi*, are left to grope in the dark. Whatever may be the knowledge of others, all information is denied to us. A resolution, which I felt it my duty to offer a few days since, asking only for a communication of facts in relation to the number of clerks in the department, their assigned and appropriate duties and employments, and the fund from which they had received their pay, has met with no favor in this house. I say, *sir*, that this most important information, essential to an intelligent discussion of the subject before the committee, and interesting to the whole people, is withheld, unreasonably withheld, as I must think, from us.

In the absence of the best evidence, therefore, we are compelled to resort to secondary proof. I rely, then, in support of the position that the number of clerks in the post office department, in the year 1833, was unnecessary, upon the fact, that no authority was asked by the department, or given by congress, for their employment. Upon reference to the appropriation bill for that year, it will be perceived that there was a provision for the payment of extra clerk hire in the preceding years 1831 and 1832. But neither the treasury estimate, nor the appropriation bill for 1833, furnish the slightest suggestion that any such cause of expense was to continue. The estimate for clerk hire in the department in the latter year was but 41,100 dollars, and this sum was all that was appropriated. Let the honorable chairman of the committee of ways and means, in his ingenuity, and devoted fidelity to the administration, assign a reason for such an estimate and appropriation, if it had been anticipated that the proposed sum was to be, nearly to an equal amount, exceeded. And wherefore is it, if so great a number of clerks had become necessary, congress was not called upon, either by a committee of this house, or by the department itself, as had always before been the case, whenever occasion rendered it proper to pass a law authorising an additional number.

Mr. Chairman, it is quite time that the concerns of this department were more strictly inquired into, and its management severely scrutinized. It is the foulest spot, as I verily believe, in an unfaithful, corrupt and corrupting administration of the government. It is the Augean stable which, with Heracleian labor, must be cleansed and purified. If gentlemen, to whom is assigned the unenviable task of defending the department, will not afford the information which, doubtless, themselves possess, in relation to its affairs, they must not complain, even should there be some misapprehension in respect to the manner of its conduct. Those who are less fortunate in the means of intelligence, must proceed with such lights as are allowed to them.

It appears, then, from the "Blue Book," that no less than *ninety two* persons, including the postmaster general, two assistants, a treasurer and a general agent, are employed in the department, at an annual charge of \$28,540. Of these, seventy-five are clerks, six messengers, two watchmen and four agents. By the Register of officers, for the year 1827, it will be seen that there were, at that time, but thirty-nine persons in all attached to the department, at an annual charge of \$47,200. Of these, thirty three were clerks, one messenger and two assistants. In the year 1828, congress authorised the addition of five more clerks; and these, with the thirty-nine persons before mentioned, are the whole number, it is believed, out of the ninety-two now employed, which are warranted by law, the residue having been appointed upon the sole, uncontrolled, and, as it now seems to be held by some gentlemen on this floor, irresponsible and unlimited discretion and pleasure of the head of the department. It might not be impertinent to inquire, before passing the appropriation, how this tribe of subordinates are employed. In the days of the predecessor of the present postmaster general, and while the business of the office was undergoing a course of systematic arrangement, and the facilities to communication were developing and being greatly extended, that distinguished officer, to whom the country is under lasting obligations for the efficiency, punctuality and certainty given to mail transportation, was content with the number of clerks assigned to his department by law. This number, as appears by the register, never exceeded thirty-eight. There might have been some excess of expense for extra service, but, if so, it was casual and inconsiderable. Whence comes it, that more than twice the number of officers are now found necessary? It may well be admitted that the operations of the department are very greatly extended, but, with the preservation of method and orderly arrangement, this need not occasion a corresponding increase of clerkships. If the same system of regulation and accountability is continued, the additional labor would, in a great degree, consist in causing a few more entries in the same set of books, filling a few more blank forms of proposals and contracts, and following out more extensively a like course of duties conforming to the enlarged scope of similar operations. It cannot seriously be pretended that, for an increase to double the extent of former post routes, and number of post officers, an addition of one fourth the number of clerks could have been required. Does the merchant, who adds to his capital in trade, find it necessary to multiply, in the same proportion, the clerks in his counting house? A given number are necessary to his well regulated order of business. Each has his assigned department of service, and, although the capital may be increased an hundred per cent. there may be but little additional labor in its management. Before the committee shall agree to an appropriation of more than 70,000 dollars for clerk hire only, for a single year, in this department, let them be advised of the new occasion, since 1828, which has given rise to one half this expense. How were all these officers employed? The chairman of the committee of ways and means may be presumed to have knowledge on this subject, or the resolution, proposing to ask for information from the postmaster general, would not have been refused. I respectfully put it, then, to the chairman to instruct this house, what are the assigned, distinct and appropriate duties of the general agent, the examiner, and clerks of the examiner's office, solicitor and clerks of the solicitor's office, and clerks of appointments. These are designations of officers unknown to the law. On such inquiry as I have been able to make of honorable gentlemen about me, I find much diversity of impression on this subject.

The respective offices of these clerks, of various character, seem to be little understood, and are often confounded. There are five solicitors and six clerks of appointment. What are their appropriate duties? Since the policy of the government has proffered so liberally the spoils of office as the reward of victory, it may be that one set of these characteristic denominations find sufficient employment in canvassing the pretensions of candidates for preferment, while the other are equally well occupied in following out the consequences of unsuitable appointments. I mean no reproach, in this, to the clerks themselves. I am quite ready to do justice to the intelligence, capacity and fidelity of many of them. Doubtless there are those who assiduously and meritoriously devote themselves to the public service. But I maintain, that so great a number are unnecessary. The honorable member from Kentucky (Mr. Fortson) told us yesterday, that one of these public servants, at 1,600 dollars per annum, was a practitioner at law, attending the courts in his own state; and that another, at 1,000 dollars per annum, might be seen daily in this house in the character of a reporter for the government official. How many more have similar indulgencies cannot be known, until the house shall please to require more accurate information of their duties and employments. A clerkship is a most convenient place in which to retain the services of political partisans; and the position of a post office establishment, in the command of the great channels of communication, the best suited to give direction and effect to the machinery of party organization and arrangement.

The financial condition of the department should furnish an additional and insuperable objection to the passage of this appropriation. It should be brought, at once, to the necessity of a full and explicit disclosure of its situation to the representatives of the people. There is ground to believe that its pecuniary affairs are in a deranged and embarrassed state, beyond a

reasonable hope that they can ever be retrieved by the skill or good fortune of those to whose management they are, at present, committed. There must be, sooner or later, a deep and searching operation, an overhauling and overturning of the doings of the department. It needs to be probed to the bottom. It was once a prosperous and creditable concern to the nation; conducted with order and method; affording all desirable facilities to communication; abstaining from associations and arrangements foreign to the object of its institution; giving universal satisfaction, and enjoying unbounded confidence.

Under the able and successful administration of the predecessor of the present postmaster general, it had become a source of certain and rapidly increasing revenue to the state. The last annual report of Judge McLean, in 1828, transmitted by the president to congress, with the documents accompanying his message, states the amount of accumulated surplus to the credit of the post office department, to be \$332,105 10. In the report of the present postmaster general, the following year, (1829), after giving a precise and critical review of the financial operations of the department, and particularly adverting to the balance of credit stated by his predecessor, he reduces the amount, by subtractions for various causes, and places the true and actual balance on the 1st of July, 1829, at \$290,849 07. Here, then, is a distinct admission that the net available funds, after he came into office, exceeded the sum of \$230,000. Nor is this all. He somewhat hesitatingly adds, in the same report, that "the new contracts have been made, including all the improvements," for \$19,193 37 less than the sums paid under the expiring contracts for the transportation of the mail," in a section of the country to which he refers, and that "the advantageous terms of these contracts will effect a saving to the department, of about 93 per cent. in proportion to the services to be performed." He also admits that "the department has always been sustained by its own resources, and that no money, at any time, has been drawn from the treasury for the transportation of the mail, but that it has contributed to the revenue of the government."

These references are intended to prove to this committee, beyond all controversy, the prosperous state of the department, when the present officer entered upon its administration. Subsequently, and as late as November, 1832, its condition was made a subject of congratulation by the president, in his annual message to congress. "From the accompanying report (says the message), of the postmaster general, you will perceive that that department continues to extend its usefulness, without impairing its resources, or lessening the accommodation which it affords in the secure and rapid transportation of the mail."

The report referred to, fully sustains the message, and contains the express assurance that, "with all the increase of mail facilities during the year, ending the 30th of June, 1832, the revenues of the department have, within an inconsiderable sum, equalled its expenses." The surplus available fund, although somewhat reduced, is stated at \$202,811 44. There is also to be found, in that report, another assurance eminently worthy of being remembered at this occasion, that "if the ratio of increase in the net proceeds of postages, for the year which will end on the 30th of June, 1833, shall equal that of 1832, it will amount to the sum of \$196,823 06 above that of the last year, which will exceed the additional amount required for transportation, by more than one hundred thousand dollars, provided no further improvements shall be made, without estimating anything for postages which may arise on new routes." Following up this anticipation of the postmaster general, it will be seen by his report for 1833, that the increase of the net proceeds of the postages of that year over the year 1832, instead of being only \$196,823, did, in fact, amount to \$347,156 16. This sum, added to the former balance of \$202,811 40 of available funds in his hands, according to his preceding report, put at his disposal, in the year ending on the 30th of June, 1833, \$449,967 56 more money, than the greatest amount of the expenditures of the department in any preceding year. The gross amount of the postages of that year is given in the report at \$2,616,538 27. Yet how stands the account at the end of the year? In the very words of the report, "THE DEPARTMENT WAS INDEBTED, ON THE 1ST OF JULY, 1833, BEYOND THE AMOUNT OF AVAILABLE FUNDS DUE TO IT, IN THE SUM OF \$195,208 10!"

The manner in which the postmaster general endeavors to get rid of the former balance of 202,811 dollars to the credit of the last year, by the discovery that it had been absorbed in the expenses of the department previous to that time, speaks little in favor of that system of strict accountability which he announced in his first report, he had introduced into the department for the correction of the "looseness and irresponsibility" which had before been permitted to exist. It might be sufficient to answer, that so gross an error in the statement of an account, with no other explanation than that "it is now ascertained, that the expenses incurred for transportation which had actually been performed, prior to the 1st of July, 1832, beyond the amount stated in that report, were \$205,656 97," without showing how those expenses had been incurred, or even suggesting the manner in which the error was committed, evinces great ignorance of the real condition of the department, or want of fidelity in the management of its affairs.

For the purpose of the present argument, however, it is entirely immaterial whether the balance was exhausted in 1833 or in the preceding year. Confessedly it existed when the department came into his hands. Admitting, then, the correction claimed by him in his last report, it only follows, that, between

the 30th of June, 1829, and the 30th of June, 1833, he had expended the whole of the surplus balance which he received from his predecessor, besides the vast accruing annual revenues of the department, and had created a debt, on the last mentioned day, according to the last account, of \$2,844 67, which, with a still increasing revenue, he had augmented, on the 30th of June, 1833, to \$195,208 10 over and above all the available funds of the department. It is, moreover, to be observed, that, in his report of the preceding year, he had given a pledge, that, if the ratio of increase in the net proceeds of the postages should continue as great as the previous year, it would exceed the additional amount required for transportation by more than \$100,000, and that, in point of fact, this ratio of increase was \$50,000 more than that of the former year. Yet what was the result? the expenditures of the year exceeded the receipts by about two hundred thousand dollars. Regarding the date to which the accounts are made up, (the 30th of June), it must be obvious that the amount could not have been greatly affected by the establishment of new mail routes at the intervening session of congress. But even this is not the worst of the condition of the department.

Mr. Chairman, I have no faith in the accuracy of the accounts as they are last stated, I have no belief that the department itself knows the extent of its own indebtedness, or, knowing, dare encounter the scrutiny which a disclosure of the truth would inevitably produce. Sir, my word for it, the deficit is not merely two hundred thousand dollars—it is now HUNDREDS OF THOUSANDS MORE. I may not be able to show precisely how much, for we are here without the means of proof. But let this house adopt the resolution which seeks from the department information on the subject; grant but the subpoena; and there will be full and ample testimony to the truth. In the want of that evidence, which I repeat is withheld, I am warranted by representations quite satisfactory to my own mind, to assume, that the DEPARTMENT IS DEEPLY INSOLVENT, that it owes, at this moment, from EIGHT HUNDRED THOUSAND to a MILLION of dollars. That it is in debt to banks for moneys borrowed, at least, three hundred and twenty five thousand dollars—and for over drafts upon credits for deposits exceeding one hundred and fifty thousand dollars—that it has already, to some extent, anticipated the revenue from post offices, the current quarter; and is largely in arrearsages to mail contractors, upon contracts executed, or continuing, where, by the terms of the contracts, the money has become payable, to its own great discredit, and the dishonor of the nation.

Sir, the honest creditor of the government is denied or delayed his dues. If he asks for payment, he is shown a list of forfeitures, and, by insisting upon his money, he comes to understand that he may provoke a set-off in fines, or hazard the rescinding of his contract for the non-fulfilment of its severe and inexorable exactions. There is derangement, disappointment, and vexation through all the operations of the department. It has been made the instrument of political advancement, and its legitimate purposes are held in subserviency to this unwarrantable end. Complaints have been heard, loud and long, from every quarter of the land, of its irregularity and mismanagement. It has been devoted to personal as well as party objects. Post offices, in to many instances, have been unnecessarily established, and even the course of the mail made devious and sinuous in reference to post office appointments. Faithful and acceptable post masters have been removed from office for opinions' sake, and executive sycophants and demagoguing partisans rewarded with their places.

I say these things in no willingness to find fault. I would do no injustice to the postmaster general. He may, to a great degree, have been influenced by misrepresentations, and suffer wrong from the abused confidence which, weakly or inconsistently, he has reposed in others. Yet he is the responsible head of this highly important department of the government, and for such, very much, of the present embarrassment, he is most justly to be held accountable to congress and before the people.

Mr. Chairman, in rising to address the committee, it was not my purpose to become the accuser of the postmaster general. This, to me, would be an uncustomed and a thankless office. Nor was it with a vain ambition to be heard on this floor. In competition with the many experienced and gifted men of this house, I can have nothing to hope for distinction here, and elsewhere my public course has been accomplished. This bill seemed to me to present important topics for discussion. The appropriations it proposes, involve the applications of some of the most essential principles of republican government. To these, rather than to sums of money, it will, at all times, behoove the faithful representative to give his earnest attention. Seeing those with whom I accord in sentiment, on these most interesting subjects, wearied with unceasing efforts, pressed by the votes of an unyielding majority, and almost disheartened by the conviction that further resistance or remonstrance would be alike unavailing, I felt impelled to proffer my humble aid to their relief. It was no less an obligation imposed upon me by the position, which, on a former occasion, I had assumed. I have moved the amendment to the bill in sincerity, and from a deep conviction, under the circumstances to which I have adverted, of the impropriety of making the appropriation which it proposes. However the question shall now be disposed of, there will remain to me the consciousness, that, in whatever I have said, I have intended nothing more than to discharge my duty, as I humbly trust I ever shall do, here and elsewhere, faithfully and fearlessly.

As of 1834 comes to complete



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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In our last, we published Mr. *Lincoln's* speech on the affairs of the general post office, and now give that of Mr. *Connor*, in reply. The present sheet contains Mr. *Calhoun's* speech on the president's protest, and Mr. *Forsyth's* reply is laid off for our next paper. We desire to publish Mr. *Clay's* speech on the same subject, with Mr. *Wright's* reply, and shall soon give them a place, unless prevented by a rush of documentary matter, a large quantity of which may be soon expected in relation to the bank from the committee of the house, recently returned from Philadelphia.

Our good friend and representative in congress, Mr. *Heath*, who promptly forwards to us all the public documents, has sent on the reports and papers concerning the contested election between Messrs. *Letcher* and *Moore*, of Kentucky. They make an octavo volume of seven hundred and twenty-seven pages of close print.

We publish a decision concerning "bills of credit," which will recommend itself to the careful consideration of those who shall read it. In our opinion, the question as to the power of congress to establish a national bank, is less doubtful than that of the states to incorporate local banks—if bank notes are "bills of credit," as we must needs think that they are, in certain cases—the issue of such bills being expressly forbidden to the states: but, as every state is a party in such violation of the constitution of the United States, (if this is one), no other practical good can proceed from such investigations of the subject, as we believe, than to soften the opposition to a power which is incidentally granted, in the common exercise of a power which is decidedly prohibited, but too deep-rooted to be laid aside, and so reconciling persons to the restraint or correction of one uncontrollable wrong, by another over which a sound discretion may be exercised, and a wholesome and uniform currency be thus established and maintained—a national bank, regulated by congress, having the power, duty and interest, of so regulating the local banks of the twenty-four states, that their issues shall be kept within the range of their means, and a rag-currency be thus avoided.

It will be seen that the house of representatives is preparing for a summer session, having adjourned from Thursday to Monday, that the carpets of the hall may be removed, and their place supplied with matting, &c.

The idea is becoming general, though it does not appear to have any particular foundation, that congress will not adjourn without doing something of a decisive character with relation to the state of the currency, and the pecuniary distresses under which the people are laboring. By the immense curtailments of expenses that have been made and are making—by the discharges of working people in all practicable cases, and restrained operations in every department of business, a small comparative amount of money is required for new purposes, but old engagements, and to a much larger amount than usual, remain unsatisfied, and many have been postponed in the hope of better times. Hence the present month was a severe one, but the ensuing one is expected to be much more so, and especially if the appropriation bills shall be passed. The passage of these bills will relieve many individuals, but add much to the existing embarrassments of the banks, and the public.

The bank committee reported to the house of representatives on Thursday last, the minority also presenting a report. Copies of both may be expected in the next REGISTER.

The "National Intelligencer" of Thursday says—We learn that *Andrew Stevenson*, (now speaker of the house

of representatives), was yesterday nominated to the senate, by the president, to be envoy extraordinary and minister plenipotentiary to Great Britain; and *Mahlon Dickerson*, of New Jersey, to be envoy extraordinary and minister plenipotentiary to Russia.

We are informed, from another source, that Messrs. *Polk* and *Bell*, of Tennessee, *Wayne*, of Georgia, and *Sutherland*, of Pennsylvania, are each spoken of as the successor of Mr. *Stevenson*, in the chair, if his nomination should be confirmed by the senate; and it is said that, at any rate, he will resign, in consequence of the decided vote in his district.

Rumors are "as plenty as blackberries"—and "of all sorts and sizes," and some of them are—"very important, if true!" They would shew a strange state of things at Washington, and elsewhere.

The New York Evening Star informs that—"Almost the whole regency have taken their departure for Washington. Judge Vanderpool, Mr. Senator Edmonds, Mr. Senator Sudam, attorney general Bronson, Mr. J. B. Murray, Mr. State Printer Crowell and Mr. John Van Buren; Mr. Senator Livingston, and Mr. Senator Van Schaick are to follow. Mr. Tibbits is already on the spot."

Several of these, and, perhaps, all of them, are at Washington—for what purpose it is not easy to conjecture, tho' the movement cannot be regarded as an ordinary occurrence. But, as in the oracles of the day, it is said that all persons who borrow money of banks are the tools or slaves of the banks, the "democracy" should keep a sharp look-out—for it is said that the "regency" have been fed at Mr. *Webster's* table! However, as negotiations about money may sometimes be "fair business transactions," there is reason to hope that the reported dining of the "regency" with Mr. *Webster*, may have been only such an act of courtesy as one gentleman owes, or may rightfully extend, to others!

We have taken some pains to condense an account of certain late revolutionary movements in France—which will be found interesting. The power of the government, which is supported by the mass of the people, however, restored the public peace—but not until many lives had been lost.

There is reason to apprehend that many more persons were killed in these affairs than are reported. Several persons of distinction being shot from the houses, the military, in some cases, put to death all that they found in them.

It is hoped that the vote in the French chamber of deputies, on the indemnity treaty with the United States, is not final; and expected that the amount agreed to be paid will be adjusted in a satisfactory manner, at another session. It is the opinion of many well-judging men, that, if there had not been such a display, or what some call "glory," concerning the negotiation of this treaty, the present difficulty about it would not have happened. Parts of the correspondence published should have been, at least, retained.

On this subject the National Gazette observes—

"Among them [the letters of Mr. Rives] was a letter in which he states that he had enjoyed the French and obtained more than twice what was due (a fact which turns out unfortunately not to be true); and that the commercial advantages given in lieu of those stipulated for by the Louisiana treaty, were really of no importance, as they would have been introduced into the tariff by congress without the offer of any equivalent. The printed document must have made its way to Paris, and could not have been without influence on the vote of the chambers."

A proceeding like this was sufficient to have influenced several votes—and ought not to have been given to the public, whether true or not. People do not like to be told that they were cheated.

The "Richmond Enquirer" of the 20th, published a copy of a paper found among those left by Mr. Jefferson, which is called a "protest," prepared by him when secretary of state, in the administration of WASHINGTON, [Jan. 1792] against a power asserted in the senate to determine the grade of foreign ministers, that power being believed to rest entirely with the executive. We shall preserve this article, as the opinion of Mr. Jefferson, though the weight of it is much lessened from the fact, that it was not sent to the senate; but whether retired from by Mr. J. decided against by WASHINGTON, or retained because the senate changed its course, is not stated.

A report of the secretary of the treasury, in answer to a resolution of the senate, states—1. that there were two deposits of public money in the bank of Alexandria at the time of its failure—one for \$27,528 84—the other for \$2,819 34—that such deposits had been made in the bank for many years past, and says, there is no ground for apprehending that the money will be lost: 2. that there were \$60,000 in the Farmers and Mechanics' bank of Georgetown, but as the bank had advanced the same sum to the paymaster at Harper's Ferry, that account stands balanced: 3. that there was no public money in other banks of the District which recently stopped: 4. that 14,000 dollars of the navy pension fund were invested in the stock of the bank of Washington, in the years 1811 and 1817, and so remains.

Pursuant to the appointment of the Baltimore bar, our much esteemed fellow citizen, John P. Kennedy, esq. on Tuesday evening last, pronounced a highly polished and truly eloquent oration on the death and character of the late WILLIAM WIRT. It was delivered in the First Presbyterian church, to a very numerous and delighted audience, and will be published.

We learn that the venerable MADISON is very ill; that Dr. Dunglison, of Baltimore, has visited him, and reports that he is in a rapid state of recovery.

The following letter from Mr. Lane, one of the representatives in congress from Indiana, copied from the "Indiana American," is a curious paper. It takes in many important points, but does not seem to require much comment. The leading principle, that we must have a bank—is admitted; and it appears, so great is the necessity, that a temporary extension of the charter of the present institution will be submitted to, in consideration of the wants of the people, notwithstanding the amount of the "sins" of the bank.

Mr. L. desires to have a new bank that shall be the "servant of the government"—not its "master," and so would we; but, perhaps, we might differ as to what is meant by "the government." If the gentleman means the house of representatives and senate—the first being the constitutional tax-collecting and purse-holding power of the nation, and both having an equal and concurrent vote over all the disbursements, (for not one dollar can be legally drawn out of the treasury unless specially authorized by both), we heartily agree with him; but if by "the government" he means the president, alone, as he is oftentimes slavishly called, we must altogether differ from him; for we deprecate an union of the *purse* with the *sword*, as much as we should one between the sword and the MITRE, as fatal to the present and future happiness of the people. The government, proper—that is the congress, the immediate representatives of the people and of the states, after a long and arduous investigation, and against the well known wishes of the president, approved the bank as a faithful "servant" at the last session, in the senate 28 to 20, and in the house 107 to 85—being very respectable majorities for continuing the charter; but in this case the president, by an exercise of the veto power, became "the government," and has, in advance, prepared himself, also, to remain "the government," by removing the deposits just before the meeting of the new congress, lest a majority in the present, as in the last congress, might consider the bank of the United States as best fitted for the safe keeping of the public money—to which judgment he would again oppose his own individual veto. It will then appear absolutely necessary that we should understand what is meant by "the

government" on the present occasion—whether it abides in the will of one man, or in the decisions of the senate and house of representatives of the United States, in congress assembled.

An organization to force the previous question is plainly stated by Mr. Lane—and it was effectual.

The allusion to the "public" necessity is very significant. We thought and said seven or eight months ago, that the public necessities would be urgent before the end of the year 1834, unless the appropriations were severely restricted, or some unexpected ruin of good luck happened; and, while many seemed distressed at the idea of vast sums of money lying idle in the treasury, we believed it would do well if able to meet all the requisitions that should be made upon it, in the course of the year—and now it is rendered nearly certain that our opinion was a sound one. It is possible that there will be no available funds in the treasury on the 31st December next, and that the bank of the United States, if not called upon by the public to furnish supplies of money, will have, at least, to step forward and generally defend the state banks—perhaps even those which have been selected as more safe depositories of the people's money than itself! It is this bank, only, that is able to do either—and yet added brains have conceived the notion of a "better currency" than it furnishes. Whatever may be its "sins," all the force of the best disciplined party which ever existed, cannot shake that confidence which all men have in it—for even those who once "questioned" its solvency, or now call it a "monster" prefer its bills to specie, as being equally good and more convenient, than coin. It makes one laugh to hear persons crying out "monster—monster—monster," while clutching and hugging the issues of this "monster" to their hearts.

Washington, March 29th, 1834.

Dear sir—In the senate, the vote was taken yesterday, on Mr. Clay's resolutions, as you will see in this morning's Globe.

In our house we shall attempt to force the previous question, upon the same subject, on next Thursday week—and I have no doubt, it will be adverse to the vote of the senate.

Mr. Webster's favorite view to extend the charter of the present bank, for six years, was opposed by Clay and Calhoun. On his own motion it had been laid on the table; and I have just been informed, he had obtained leave of absence, and will visit Boston.

Some definite proposition for chartering a new bank, will be brought forward; properly guarded and restricted, so as to render it the servant of, and not the master power in the government. An institution, in strict obedience to, and not above the constitution and laws—an institution that shall furnish a sound currency, and relieve the country from its present suffering; an institution that shall collect, keep and disburse the revenue of the union, with ease and safety; an institution for the benefit of the people, for all, and not for the few.

For such an institution my exertions and vote shall be given. That the sins of this present bank are of such a character as to forbid the continuance of its existence for an hour, I have no doubt. Public and individual necessity may, however, call for the temporary extension of its charter, and a new and safe one can be brought into action and useful operation.

These are my own views; and I entertain but little doubt, that a large majority of the house, will adopt the same, or similar opinions. As it regards my own opinions, they have undergone no change since June and July last, when they were so fully and repeatedly given to my fellow citizens, whose interest and prosperity, shall ever be paramount in my political course, to every other consideration, and to which all party, or party discipline shall yield. I love and admire my party and its patriotic chief—but I love my constituents, my friends and my country more.

A. LANE.

The fruits of "the experiment" are shewing themselves. The New York American states, that the receipts from the customs, in the 1st quarter of the year 1833, were

	\$6,966,437
Same in 1834	4,366,737

2,599,700

And that the whole revenue, in this quarter, was short in the sum of 1,895,009 dollars, though the receipts from the public lands were greater in 700,961 dollars, in 1834, than in 1833.

It is reduced consumption, rather than reduced duties, which has caused this great falling off in the revenue. Most persons wear their old coats longer than they were wont. The order of a new suit of clothes is a matter of much consideration with many, who, heretofore, never had a second thought about such a matter, except to please their fancy.

Though very little money is needed for new enterprises, for all persons who have it in their power are reducing their business and responsibilities—the pressure on the money market is more and more severe, every day, for the settlement of old engagements; and, if the necessity proceeds much further, no calculation can be made as to the point at which it will stop, unless in a general and complete paralysis of business, and general discharge of laboring persons.

Messrs. *Roberts Vaux*, *John McAllister*, *Henry Horn*, of Philadelphia; *Saul Alley*, of New York, and *Joseph White*, of Baltimore, were presented to the senate as bank directors, on the 13th inst.

[Is it necessary or proper, (and we ask for information), that the "government" directors should all be the opponents, or rather enemies of the bank, in which the people have seven millions of their money invested? Are none honest and capable and faithful, unless well known for zealous efforts to break down an institution, the business of which is intended to be partially committed to their charge? It does appear very singular that such persons should be selected—persons with whom it is impossible that the directors, on the part of the stockholders, can freely associate—and whose apparent duty it is rather to seek out matter of accusation against the bank, than promote its interests or defend the character of its proceedings, even if approved. Men so circumstanced cannot be received and treated as friends, nor be permitted to influence the action of the board. And will honorable men sit there as spies?

A severe altercation between Messrs. *Plummer* and *Cage*, (the representatives in congress from the state of Mississippi), took place in the house a few days ago. The latter seems to have thought it was settled "then and there;" but Mr. *Plummer's* speech being published in the "Globe," Mr. *Cage* demanded whether this proceeding had happened through the agency of Mr. P. The latter said that it had, and this led to a direct challenge from Mr. C. Mr. *Plummer* accepted the challenge, and said that, as soon after the adjournment of congress as possible, and his return to Mississippi, he would fix the time and place, &c. and notify Mr. *Cage* thereof—but Mr. *Cage*, through Mr. *Bynum*, considered this as an "evasion of the call," and so this affair reached a bloodless termination. The correspondence is published in the Washington papers.

A newspaper called the "Ohio Patriot," published at New Lisbon, speaking of the talents of the Virginia senator, *Benjamin Watkins Leigh*, says:

"It is to be hoped he will be seated along side of *Tom Ewing*, of Ohio, as Mr. *Leigh's* talents are so far superior to those of the Ohio senator, that he may be of great service to him."

And a paper published in Cincinnati, called the "Republican," has the following:

"Taken from an obscure station, and suddenly elevated to one of the highest offices in the nation, his prosperity seems to have turned his brain, and were it not that the honor of the state is concerned, we should feel disposed to smile at his folly, and be amused with his self-importance."

"We have fallen on evil times." Mr. *Ewing* has not more than one, if one, superior, in point of talents, in the "democratic" party, in the senate, and no superior, in either party, as a correct and worthy gentleman. If he was an "ostler,"\* it is to his credit that he is a SENATOR. What was the president of the United States? What *Greene*, the right arm of WASHINGTON, what *Franklin*, what *Sherman*—what *Clay*, what *Webster*, with thousands of others, the ornaments of the past age, and markers of the present?

We notice these miserable things only to hand down to posterity a type of the ORGANIZED PRESS of the present day—a press that is regulated by the enjoyment of reward or fear of punishment—and which, within the last five years, has furnished more public officers than

\*It is said that this appellation is given to Mr. E. because that, while a youth, he occasionally attended to the horses of travellers who stopped at his father's inn—and so it seems that he had a father, a matter of some importance in these days of dignity! But we have always understood that Mr. E. hewed his way to the eminence which he has reached; and, by the use of his axe, provided the means for cultivating his mind.

was supplied by the whole press of the United States, from the adoption of the constitution up to that time. And it should be carefully noted, that these, and such as these, are the exclusive "DEMOCRATS" of the day! This press, too, is much under the control of paper-blackers, who

"Left their country for their country's good," foreign patriots, of the school of *Thistlewood* or *Cobbett*. But we ought, perhaps, to be very delicate on this particular subject, seeing the "Globe" has ascertained that we ourselves were recently imported from Europe!—though our fathers were among those who first settled the woodlands of Penn.

A public dinner was given by the young men of Philadelphia to Mr. *Southard*, one of the senators from New Jersey, on the 20th inst. The party exceeded 300, and there were many invited guests, among them the mayor of the city, with Mr. *John Sergeant*, and others. When Mr. *Southard* was complimented, he addressed the party at considerable length, of which the United States Gazette says—

"The close of the speech was a splendid effort of eloquence—worthy the occasion—and worthy the high fame of the speaker. It had a thrilling and electric influence on the audience, who started at the close as if a trumpet had sounded a charge. The deafening applause, and the general cheerings, showed that Mr. *Southard* had reached the hearts of his auditors; they felt the influence of a master hand, and they responded like men and patriots."

Great meetings of the people are yet held at many places to memorialize congress for relief. We notice two especially—one at *Frederick*, Maryland, the other at *Lexington*, Kentucky. The present state of things allows time enough to attend to such meetings, and to brood over lost prosperity.

We flattered ourselves that Mr. *Barry* would obtain the—mission to *Russia*, but have been disappointed. We yesterday received two notices of discontinuance from two old and fast friends, one in Kentucky, the other in Pennsylvania, because of the great irregularity and wretched uncertainty, that attends the transmission of the REGISTER. We are without remedy, and must endure the work of "reform," as it operates in several districts of the United States. Of other places, where a faithful discharge of public duty has been chiefly regarded, we have no right to complain.

A committee of citizens of New York have made a statement of facts as to the "seizure of the arsenal" in this city, on the 3d day of the late election—but not having published the highly colored and strange statement of the commissary-general, or the proceedings had thereon in the legislature of the state, we shall not copy it. It may be observed, however, that the narrative of the proceedings of an evidently disciplined band of rioters, prepared with supplies of sticks and stones for violent purposes, presents us with a view of scenes well calculated to have caused an appeal to the use of arms, in support of the city-police, several times defeated by organized hordes of unknown and irresponsible persons, unless arrested on the spot—the greater part probably being non-residents; and these also manifestly commenced the attack on every occasion, when a battle ensued. On the arrival of the mayor at the arsenal, his request that the arms might be restored, &c. was instantly complied with. The committee do not hesitate plainly to say that many of the statements made by the commissary-general are "false"—that they are ridiculous, he himself has recorded—in his report of the proceedings.

Having inserted in our last the call of a meeting at the Columbian Gardens in this city, of young men willing to pledge "LIFE, FORTUNE and SACRED HONOR" in supporting the president "against the lawless course of a PACIFIOUS SENATE"—which many seem to have thought was a prelude to thunder and to blood, we think it proper to say, that the affair resulted in the passage of a few stereotyped-like resolutions. The meeting is said to have been "numerous"—but the only persons whose names appear in the proceedings are *Jonathan Fitch*, president, *John Delcher*, and *John Wysham*, vice presidents, *Joseph*

*Breck*, secretary, and *Thomas L. Murphy*, *Samuel Parker* and *Joseph Breck*, orators.

The New Hampshire Patriot, in speaking of Mr. Taney, says: "He is constitutionally secretary of the treasury, until the close of the present session—and should the opposition senators again abuse their trust by rejecting his nomination, the president can put him in office to the end of another session, and we hope he will do it."

From the "Richmond Whig" of May 10—"Without this bank question, they (the whigs) would have succeeded. Without it, we should have been in a minority in the house before now." [Richmond Enquirer.]

On which the "Whig" says—The above is a most precious confession of a Washington correspondent of the Enquirer, and it is still more surprising that the writer should have received the approbation of the editor of the Enquirer in giving it publicity. He certainly must have mislaid his spectacles at the time. It gives a clue to all the labored efforts of that gentleman to keep up the cry of "bank, bank," with which his readers have been deafened. It is an admission too plain to be misunderstood, that what we have uniformly alleged, is indubitably true, that the pretended claims about a violated constitution, "the monster," &c. were merely used as a stalking horse to withdraw attention from the true questions which this veteran politician was aware were wholly indefensible. A minority has always been viewed by the school to which our cotemporary belongs, with a holy horror. It has hitherto been in his eyes, the unpardonable sin. He has, however, at last, been caught in one, and we shall see with what dexterity he will slip out of it. But we forbear.

The following, in the present condition of things and state of public feeling, may be considered important—for a belief has become almost universal that something will, (because that it seemingly must), be done to relieve the pecuniary pressure on the people, which threatens the general ruin of men in business, unless prevented by a general stoppage of payments! We have never seen or felt any thing like the present pressure, and it is becoming every day worse and worse—and hence the opinions of such a man as Mr. Webster, one of the most distinguished in the nation, and at the head of the financial committee of the senate, cannot fail of being received with deep interest by the public.

From the National Intelligencer of Wednesday last.

In the senate, yesterday, Mr. Webster, in presenting a paper from the whigs of Lancaster, (Pa.) on the subject of the effect of the illegal and unconstitutional removal of the public deposits, expressed pretty much at large his views of the present aspect of public affairs, as well as of the prospect for the future. In doing so, he recurred to the views which he had expressed early in this session, of the probable consequences of the control assumed by the executive over the currency of the country, and to the remedy which he had felt it to be his duty to propose in the shape of a bill for renewing for a limited time the charter of the bank of the United States. The last notice he had given in regard to this bill, he said, had been that he would call it up on the 21st of April. But, before the 21st of April arrived, the other branch of the legislature had, by a decisive vote, destroyed the existing probability of such a measure receiving the sanction of that body. The executive branch being also known to be opposed to any action of the government in that direction, he had thought it, and he now thought it, unnecessary to press that bill upon the attention of the senate. When, therefore, if ever, he should move the senate to take it up for consideration, was at present wholly uncertain.

Mr. W. went on to present some views, in his usual forcible and impressive manner, of the general subject of the condition and prospects of the country. He stated his belief that the conviction was becoming universal, even among those who seriously wished to believe otherwise, that the "experiment," as it is authoritatively as well as familiarly termed, has failed, signally failed. Whatever casual or transitory relief circumstances might produce to certain parts of the country or portions of the people, yet, if no remedy be interposed, Mr. W. expressed the opinion that such a summer and autumn tie to be passed through as the whole country has never seen.

He demanded, whether the friends of the administration in congress were ready to break up and go home without attempting any thing, either in present action, or in prospect, to relieve the country from its suffering condition. He believed, for his part, that they were bound, by every consideration of conscience and of duty, to carry through congress some measure of effectual relief. The evil under which the people suffer, springs from no external misfortune: it is from within; it is the consequence either of bad law or bad administration of the law. It is, Mr. W. argued, a political evil—a political infliction, one which the three branches of the government could, were they so disposed, cure in a week. This, he said, was a case pressing heavily upon the consciences of those who produced the change in the condition of the country. He (said he) have not removed the

deposits; we have not violated the law, nor broken the constitution. We, on the contrary, have foretold and deprecated the existing consequences of that measure; yes, foretold them, so long ago as when we were smiled at as prophets evil or prophets false, and the mention of distress was the provocative to sneers and sarcasms from gentlemen on the opposite side. As to any law of congress to confirm the present state of things, it would only be to make the distress perpetual; it would only be to give legal countenance to that which is already an extreme evil. Mr. W. went on to say, that no man in either house could be more desirous than himself for an early adjournment of congress; but he was not willing, anxious as he was to adjourn, until those who hold the power in the government should say that they have nothing to propose to relieve the people. In a word, upon those who hold the power, he meant to leave the responsibility for the present state of things.

This was the general scope of Mr. Webster's speech, of which we take this brief notice in anticipation, because, as the author of the project for extending the bank charter, and as chairman of the financial committee of the body to which he belongs, the views which Mr. W. takes of things, as they stand at the passing moment, will be of deep interest to all our readers.

From the National Intelligencer of May 22.

Mr. Clay took occasion, yesterday, in presenting to the senate some memorials, and especially one from Doylstown, in Bucks county, Pa. to annadvert seriously for the most part, but in part playfully, to the present state of the country. Among the opinions expressed by the memorialists is one which Mr. Clay said he most decidedly entertained in common with them, that, after the vote by one branch of congress that the removal of the deposits by the secretary of the treasury was unjustifiable and unconstitutional, it was the duty of the secretary of the treasury instantly to have restored the deposits to the place from which they had been illegally taken: and such, he said, would have been the course of any secretary of the treasury who entertained a proper sense of the fallibility of his own judgment, and of the respect which was due to the deliberate opinion of the senate, or of the house of representatives, on such a question as this, when it came in conflict with his own. Mr. Clay added, that if there was, in either house of congress, a single individual whose private judgment approved of the removal of the deposits as an original act, independently of party considerations or posterior circumstances, he had yet to meet with that man.

As to the question yesterday addressed by the senator from Massachusetts to those who hold the power, whether they meant to adjourn without taking any measure to relieve the country from its present suffering, Mr. C. said, he verily believed that they do not know what to do: they are afraid to stay, and afraid to return: they are between two fires—afraid of Jackson if they remain, and of their constituents if they go home. If, however, they mean to do nothing to recover possession of the public treasure; if they mean to do nothing to relieve the distress which pervades the country, Mr. C. said he was himself ready to concur with them in fixing the earliest practicable day for adjournment, after passing the bills necessary to carry on the government.

What would be the consequence of such contempt, by those in power, of the successive evidences of public opinion, presented from day to day, and from week to week, it was easy to foresee. Already, he said, the whole "party" was crumbling away; sinking, like the banks of the Mississippi undermined by the torrent, whole acres at a time. Why, (said Mr. C.) I am told that the whole regency of New York, taking the alarm, has fled from Albany, and taken refuge in this city. Whether they would or would not be redemanded by gov. Marcy, under the laws in such cases made and provided, he could not say; but if they remained, he hoped they would be allowed the benefit of all the rights of hospitality due to such distinguished strangers. For himself, he conduced with the gentlemen, in this the trying time of their misfortunes, and trusted that they would be able to bear them with manly fortitude and Christian resignation.

If any one who heard this part of Mr. C's speech was able to look grave upon it, thank heaven, it was not we.

In the course of Wednesday's debate, Mr. Clay having denounced, as contrary to the spirit of the constitution, the omission of the president of the United States to nominate to the senate, for confirmation or rejection, the present secretary of the treasury and other officers, though the senate has been now nearly six months in session; Mr. Webster rose, for the purpose of showing the views of this subject entertained by the great first president of the United States, and practised upon by every administration in this government, up to the beginning of the present. For this purpose, Mr. W. quoted from the record the following:

Message from the president of the United States to the senate of the United States, February 9, 1790.

Gentlemen of the senate:

Among the persons appointed, during the last session, to offices under the national government, there were some who declined serving. Their names and offices are specified in the first column of the foregoing list. I supplied these vacancies, agreeably to the constitution, by temporary appointments, which you will find mentioned in the second column of the list. These appointments will expire with your present session, and indeed occur

NOT TO ENDURE LONGER THAN UNTIL OTHERS CAN BE REGULARLY MADE. For that purpose, I now nominate to you the persons named in the third column of the list, as being, in my opinion qualified to fill the offices opposite to their names in the first.

G. WASHINGTON.

Mr. Wise, Mr. John Quincy Adams, Mr. Thomas, of Louisiana, Mr. Pinckney and Mr. Murphy, have been appointed a select committee in the house of representatives, to take into consideration the expediency of carrying into operation the resolution of the revolutionary congress, concerning the erection of a monument at Yorktown.

Mr. Foot, on being installed governor of Connecticut, sent a valuable message to the legislature, from which we intend to make liberal extracts.

The "Arkansas Gazette" of April 29 informs us that the cholera still prevailed among the Cherokee emigrants—and that 60, out of a party of 550, had died of it. Eight deaths had happened and 40 new cases occurred, in a party of 140 recruits for the 7th infantry, just arrived. Ten or twelve persons had died on board of one steamboat from New Orleans, and the decease of several of the citizens of the territory is mentioned; but no case of cholera had yet appeared at Little Rock.

A letter from Manchester, Miss. dated April 20, states that 116 cases of cholera had occurred during one week on the plantation of Mr. Roache, six miles from that place.

The following account of an unusual incident is extracted from a letter to the editor of the United States Gazette, from his correspondent in Washington, dated May 12th:

"We had a curious occurrence to day, in the senate chamber. A person in one of the galleries, having the appearance of a preacher, suddenly shouted out from the front of the gallery, just as Mr. Webster was engaged in the presentation of a memorial—'My friends, the country is on the brink of destruction. Be sure that you act on correct principles. I warn you to act as your consciences may approve. God is looking down upon you, and if you act on correct principles you will get safely through!' As soon as he made an end of this brief oration, he very leisurely stepped back, and made his way out of the gallery, before the officers of the house had time to reach him. The president and senate were all taken unawares—and it was some time before the usual tranquillity of the body and spectators was restored."

A true bill. Mr. Webster was on his feet at the time, making some remarks on presenting a memorial. He was as much surprised, of course, as any body, at this extraordinary interruption. When the shrill voice of the enthusiast ceased, Mr. W. coolly resumed the thread of his remarks, saying, "As the gentlemen in the gallery had concluded, he would proceed."

[Nat. Int.]

The "Globe" speaking of the probability of a charter for a new bank passing congress, says—

"We believe that none could now pass either house of congress. We know it could not unite two-thirds of both houses. If it could pass the two houses, a band [a Spartan band, if it must be so], would rally around the hero of New Orleans, and defend this battlement of the constitution to the last extremity."

A "Spartan hand." We have had enough of them!

In another number of the "Globe" it is said—

"The bank has been conquered by the removal of the deposits, as all candid men will soon acknowledge. Having accomplished his great object, the president will calmly await the day when the mists raised by deluded and bad men shall vanish, and his conduct appear to all his countrymen as not only constitutional and lawful, but wise and expedient."

The Alexandria Gazette says—

"The Richmond Enquirer still dares to hope (we use its own expression) that general Jackson will veto the Cumberland road bill, if it passes the house of representatives. How bold the Enquirer is! It dares to hope!!!"

The treaty with Chili as approved by the senate, was proclaimed by the president on the 29th ult. The following abstract of its provisions, for which we are indebted to the Baltimore "American," may serve all ordinary purposes:

The new convention with Chili, recently ratified by the United States senate, has been officially promulgated. It consists of thirty-one original, and four explanatory articles.

The commerce and navigation of the two countries with each other, are put on the footing of those of the most favored

nations, and every subsequent grant, by either, to other nations, is to become common to the other, as though specially granted—freely, if given freely, or on the same terms if compensation is required. The republic of Chili reserves out of this stipulation its existing treaties with other South American governments and with Mexico, and both parties except their own coasting trade.

The 5th, 6th, 7th and 8th articles provide for the security of the property of the citizens of either country in the other; against embargoes, or imprisonment for military purposes, without indemnification, for protection and aid in their harbors, against pirates or other enemies, or in distress, for the restoration of property carried by pirates into the ports of either, and for exempting the cargoes of wrecked and damaged vessels of either party, not intended for consumption in the country, from all duties and imposts.

The right of disposing of personal estate is secured to the citizens of either party in the territory of the other, according to the laws which regulate the property of its own citizens; and successions, by testament or from intestates, follow the same rules. In the case of real estate, three years is given to alien heirs to dispose of it, and withdraw the proceeds. Security of property, free access to the courts, and liberty of religious worship are mutually guaranteed to the resident citizens of either.

From article 12 to 24 inclusive, relate to the questions of neutral commerce, contraband and blockade.

They establish succinctly that free ships make free goods; that commerce in time of war shall be free to neutrals, direct to the ports of the enemies of either, and from port to port; and that on board of the ships of neutrals, every thing is free, (contraband excepted); although the whole or part of the lading belong to belligerents. The same principle of protection extends to persons, except officers or soldiers in actual service; it further limits the benefit of this protection to the property and persons of belligerents, who acknowledge the same principles.

An alternative stipulation is made, that when the neutral flag protects the property of the belligerent, the flag of the belligerent shall not protect neutral property, and *e converso*—where the neutral flag does not, the enemy's flag shall.

Article 14 defines what shall be contraband. Contraband does not subject the vessel or cargo to confiscation, except if the contraband articles, nor to detention, if those articles are given up on demand. Sufficient notice of blockades is to be given, and vessels entering or departing are to be warned, and liable to confiscation only on persisting in spite of warning and notice.

Captains of armed vessels are made personally liable for all extortion or ill treatment in searching for contraband, and no commander of a merchant vessel is to be summoned on board of an armed vessel. When vessels are under convoy, the word of honor of the commander of the convoy is to be taken as final evidence of the character and cargoes of the merchant vessels under his charge. Mutual stipulations are made for the regulation of prize cases, that the reasons for condemnation in each case may be fully stated, and authentic evidence furnished to the party.

In case of war between the United States and Chili, a specific time is to be allowed to resident merchants to wind up their affairs, and safe conduct given them. Persons of other occupations may remain, under the protection of the laws, responsible for their personal conduct towards the state. No debts or property to be consecrated or sequestered.

A series of articles provides for the reception and treatment of ministers, and their powers, and those of consuls.

Deserters from public and private vessels are to be given up to the consuls. An explanatory article except slaves as such, serving in any capacity in our vessels.

The other explanatory articles are not important, only making more explicit some of the provisions of the original articles. The treaty is to continue for twelve years, and to be terminable then and thereafter only on a previous notice of twelve months.

The present licentiousness of the French drama is thus summarily described in the London Quarterly Review:

"We have specially noticed ten plays. In them, we find, that, of the female characters, eight are *adulteresses*, five are *prostitutes* of various ranks, and six are victims of *seduction*, of whom two are brought to bed almost on the stage. Four others are in love with their sons, or sons-in-law, and in three instances the crime is complete. Eleven persons are murdered directly or indirectly, by their *paranours*; and in six of these pieces, the prominent male characters are *bastards* and *foundlings*; and all this accumulation of horrors is congregated in ten plays of two authors, produced within the last three years in the city of Paris.

The British drama is not much better, as we learn by the following extract from the same work—

"We fear that in London the minor theatres, which are not subjected to the license, have already shown an alarming disregard of delicacy; and even in the larger theatres, the licensers, we believe, very reluctant to use a power, the exercise of which subjects him to personal odium and public complaint. The matter is of more extent and importance than we can here develop; but we trust we have said enough to call public attention to what may become with ourselves a very important con-

sideration, and which assuredly is already a subject of intense anxiety to every one who wishes for the establishment and continuance of a moral and orderly government in that great country, which, from its position and its power, must exercise so great and so exemplary an influence, either for good or for evil, over the rest of the European world."

At these minor theatres we have often heard disgusting accounts of the display of beautiful women, nearly naked, and in positions and circumstances that tempt persons to all the crimes stated against the French dramatical pieces.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

### SENATE.

May 16. The bill supplementary to the act, entitled "an act to alter and amend the several acts imposing duties on imports, approved July 14, 1832," was read the second time, considered and passed to a third reading.

On motion of Mr. Chambers, the senate proceeded to the consideration of the bill to aid in the construction of a lateral rail road between Baltimore and Washington, and

Mr. Chambers moved as an amendment of the bill to insert a proviso, giving to the postmaster general the power of terminating the contract with the rail road company for transporting the United States mail, and to transport the mail in some other mode.

Mr. Hendricks moved to amend the bill by inserting a proviso prohibiting the company from charging the post office department, or its mail contractor, tolls for the passage on the road of any cars or other vehicles in which they may transport the mail.

Mr. Chambers opposed this on the ground of its injustice and impracticability; and, after some remarks in reply by Mr. Hendricks, the latter gentleman withdrew his amendment until the fate of that moved by Mr. Chambers should be determined; and then the senate adjourned until Monday next.

May 19. The chair communicated three reports from the secretary of the treasury; the first shewing the amount of public money remaining in the bank of Alexandria at the time of its failure; the second shewing the number and amount of transfer drafts that have been drawn on the bank of the United States, and the purposes for which they have been applied; and the third the weekly and monthly reports of the bank of the United States, and of the deposit banks, since the 1st of February last; which

On motion of Mr. Clay, they were referred and ordered to be printed.

A memorial remonstrating against the removal of the deposits from the bank of the United States, was presented by Mr. Ewing, from the citizens of Belmont county, Ohio—read, referred, &c.

The chair presented a memorial from citizens of Bergen county, New Jersey, approving of the course of the executive in relation to the removal of the public deposits; which, on motion of Mr. Frelinghuysen, was read, referred, &c.

Mr. Wilkins reported a bill routing the duties on five bells imported for the Roman Catholic church of St. Louis, Missouri; twice read and ordered to a third reading.

On motion of Mr. Bibb a resolution was agreed to instructing the committee on military affairs to inquire into the expediency of giving suitable testimonials to major George Croghan and the officers and soldiers under his command, for their gallant defence of Fort Sandusky, during the last war.

Mr. Bibb also submitted a resolution, which was agreed to, inquiring into the expediency of providing for the recording of the opinions of the judges of the supreme court before they are delivered to the reporter.

Mr. Sprague submitted a resolution calling for certain information as to the amount of claims under the late treaty with France, &c.

The bill making appropriations for the support of the Indian department for the year 1834, was twice read and referred.

The joint resolution providing for the purchase of 13 copies of American state papers, published by Gales & Scaton, was read the third time and passed.

The report on the contested election of a senator for Rhode Island, was made the order of the day for this day week.

On motion of Mr. Clayton the bill for the relief of certain insolvent debtors, was taken up and considered as in committee of the whole, and ordered to a third reading.

The senate then proceeded to the consideration of the special order, being the bill to aid in the construction of the Baltimore and Washington rail road. An amendment offered by Mr. Chambers was pending, which after a few words from Mr. Grundy was withdrawn.

Mr. Chambers then moved to amend the bill by striking out the clause providing that the rail road should carry the mail for a compensation not exceeding 3,000 dollars a year, and inserting a provision that it shall be carried free of charge for twenty years; which amendment was agreed to.

Mr. Hendricks then moved to strike out the words limiting the period to 20 years, and to insert words extending it to the full term of the continuance thereof.

Mr. Clayton moved to modify Mr. Hendricks amendment so as to extend the time to 30 years; which modification was negotiated without division.

Mr. Chambers asked the yeas and nays on the amendment moved by Mr. Hendricks, which were ordered.

The question was then taken on the amendment, and decided in the affirmative, as follows:

YEAS—Messrs. Bell, Benton, Bibb, Black, Brown, Calhoun, Ewing, Forsyth, Frelinghuysen, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Knight, Linn, Mangum, Morris, Naudain, Porter, Prentiss, Preston, Robbins, Robinson, Shepley, Silsbee, Smith, Sprague, Swift, Tallmadge, Tomlinson, Tyler, Waggaman, Webster, White, Wilkins—37.

NAYS—Messrs. Chambers, Clay, Clayton, Keut, McKean, Tipton—6.

The question was then taken on the passage of the bill by yeas and nays, and decided as follows:

YEAS—Messrs. Bell, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, McKean, Naudain, Porter, Prentiss, Robbins, Robinson, Silsbee, Smith, Sprague, Swift, Tomlinson, Waggaman, Webster, Wilkins—23.

NAYS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Forsyth, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, Mangum, Morris, Preston, Shepley, Tallmadge, Tipton, Tyler, White—20.

The bill was then passed; and the senate adjourned.

May 20. Memorials, proceedings of meetings, &c. disapproving of the removal of the deposits, were presented, by Mr. Wilkins, from certain anti-masonic citizens of Pittsburgh, Pa.; by Mr. Webster, from citizens of Columbia, in the county of Lancaster, Pa. [this memorial also condemns the late executive protest]; by Mr. Mangum, from citizens of Raleigh, N. C.; which were severally read, referred, &c.

Mr. Brown presented the proceedings of a meeting of the citizens of — county, North Carolina, expressing approbation of the measures of the administration generally, and particularly of the removal of the deposits—which was read, referred, &c.

Mr. Clayton presented a memorial from the principal chiefs and delegates of the Cherokee nation, and moved that it be referred to the committee on Indian affairs, and printed for the use of the senate.

Mr. Forsyth opposed the reference; when a debate ensued, in which Messrs. Forsyth, Clayton and Clay, took part.

Mr. Forsyth then moved that the paper be not received, and asked for the yeas and nays, which were ordered.

After some further remarks from Messrs. Sprague, Frelinghuysen and Clayton, the question on receiving the paper was taken, and decided in the affirmative, as follows:

YEAS—Messrs. Bell, Bibb, Brown, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Hill, Kent, Knight, Leigh, Linn, McKean, Mangum, Naudain, Prentiss, Preston, Robbins, Robinson, Shepley, Silsbee, Smith, Sprague, Swift, Tipton, Tomlinson, Tyler, Webster—30.

NAYS—Messrs. Benton, Forsyth, White—3.

The memorial was then referred to the committee on Indian affairs, and ordered to be printed.

Mr. Ewing submitted a resolution inquiring into the expediency of placing the postage on periodical pamphlets and newspapers on the same footing.

The senate then adjourned.

May 21. Memorials, proceedings of meetings, &c. disapproving of the removal of the deposits and praying relief from the present embarrassed state of the currency, were presented—by Mr. Webster, three memorials, the first from Otsego county, New York, the second from Brockport, Monroe county, New York, and the third from Pittsford, New York. [In presenting these memorials, Mr. Webster observed, that they represented that the memorialists were nearly without a market for the fruits and products of their industry and skill, in consequence of confidence being destroyed; that the merchant could not collect his debts, the mechanic could find no market for the product of his labor; the farmer could no longer obtain a reasonable price for his agricultural products; that the manufacturer is obliged to curtail his business or relinquish it altogether, by reason whereof many laboring men were thrown out of employment. That the value of real estate had declined; loans were not now to be obtained on mortgages; ruinous discounts were charged on mercantile paper varying from 20 to 40 per cent. and that the bank was unable to afford the necessary discount]—by Mr. Ewing, two papers containing additional names to the memorial heretofore presented from Athens county, Ohio; by the same, two memorials, one from Huron and the other from Green county, in the same state; by Mr. McKean, the proceedings of a public meeting in Luzerne county, Pa.; by Mr. Leigh, from a large number of citizens of Jefferson county, Va.; also, the proceedings of a large and respectable meeting of the citizens of Doylestown, in the same state; and also a memorial from sundry citizens of Seneca Falls, New York.

Mr. Clay accompanied the presentation of these memorials with some appropriate remarks, and was followed in debate by Messrs. Forsyth, Webster, Tyler, Benton and Leigh, after which, the memorials were referred, and ordered to be printed.

The senate then adjourned.

May 22. Memorials, &c. complaining of the pecuniary distresses, ascribing them to the removal of the deposits and praying for their restoration, were presented, by Mr. McKean, from 662 citizens of Cumberland county, Pa.; by Mr. Clay, from 1,500 or 1,600 citizens of Montgomery county, Pa.; [a fifth of whom

were, until recently, friendly to the administration]; which were read, referred, &c.

On motion of Mr. *White*, the senate proceeded to the consideration of executive business at 20 minutes past 12; and when the doors were opened, it was agreed, when the senate adjourn, it adjourn to meet on Monday next.

The report and resolution on the pension agency, &c. was postponed till Monday next.

The following bills were read a third time and passed:

An act to revive and amend an act, entitled "an act for the relief of certain insolvent debtors of the United States."

A bill supplementary to an act, entitled "an act to alter and amend the several acts imposing duties on imports, approved July 14, 1832."

An act for the relief of the Roman Catholic church in St. Louis, Missouri.

Mr. *Sprague* then moved the consideration of the resolution offered by him on a previous day, and having modified it so as to read as follows, it was adopted:

That the commissioners under the late treaty with France be requested to communicate to the senate a list of all the claims which have been presented to them, together with the amount of principal and interest claimed by the memorialists in each case, and the aggregate, arranging into classes those which have been recognized as falling within the treaty; those which have been suspended, and those which have been rejected.

The bill to remove the office of surveyor general of the public lands in Ohio, Indiana, and the Michigan territory, and thirteen others of a private or local character, were severally acted on in committee, and ordered to a third reading.

The bill for the repair of the Mars' Hill military road, in the state of Maine, was taken up, amended, and, after considerable discussion, without any final action on it, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

*Friday, May 16.* After suspending the rules to enable Mr. *Stewart* to make a motion to lay Mr. *Mardis'* resolution on the table, and a discussion being had on the several questions of order which incidentally occurred,

Mr. *Mardis* withdrew his resolution, and Mr. *Corwin* the amendment which he had made thereto.

The house then took up the Indian appropriation bill and ordered it to be engrossed for a third reading.

The harbor appropriation bill was then taken up in committee of the whole, and after considerable progress being made therein,

On motion of Mr. *Gamble*, of Georgia, the committee rose and reported the bill to the house.

Mr. *Thompson*, of Ohio, moved a reconsideration of the vote postponing the further consideration of the question of adjournment; but before any action was had upon his motion, the house adjourned.

*Saturday, May 17.* Mr. R. M. *Johnson* made a report favorable to the continuance of the West Point academy on its present footing.

Mr. *Pinkney* reported a bill in addition to an act passed on the 13th July, 1833, entitled an act concerning tonnage duty in Spanish vessels—twice read and committed.

Mr. *Thompson's* motion to reconsider the vote postponing the question of adjournment, being announced, as the unfinished business, was taken up, and, after a desultory discussion thereon, was withdrawn by the mover.

Mr. *McComas*, of Va. asked leave to offer a resolution, authorizing an appropriation to be made for a subscription of stock to aid in the construction of the James river canal.

Objections being made, Mr. *McComas* moved a suspension of the rule; which motion was negatived.

On motion of Mr. *Mercer*, the house adopted a resolution granting a right of way through lands belonging to the United States, at Harper's Ferry, to the Winchester and Potomac rail road company.

The harbor appropriation bill was again taken up in committee of the whole, amended and reported to the house.

The fortification bill was taken up in committee, when a discussion ensued on a motion to strike out "an appropriation for a fort on Throgs Neck, East river, New York, of \$100,000;" and also "for a fort at Grand Terre, Louisiana, \$50,000;" before a decision was had, the committee rose.

On motion of Mr. *Mercer* it was resolved that the house adjourn on Thursday next over to the following Monday, in order that the hall might be cleansed, the carpet taken up, and a covering of matting substituted in its place.

The house then adjourned.

*Monday, May 19.* The memorial from inhabitants of Savannah, Georgia, approving of the removal of the deposits, coming up as the unfinished business—

On motion of Mr. *Wayne*, it was ordered to be printed and laid on the table.

The memorial of the inhabitants of Ontario county, N. York, with the resolutions adopted by them remonstrating against the removal of the deposits, coming up—

Mr. *Dickson* addressed the house at large on the general bank subject: after which, on his motion, the memorial and resolutions were read, referred, &c.

Mr. *Anthony*, who, on the last petition day, had presented a memorial from Lycoming county, in favor of a recharter of the bank of the United States, addressed the house, and discussed various topics relating to the general politics of the country,

especially as agitated in Pennsylvania. Mr. A. had extensive notes, and said that his purpose was to touch on a few points only, and then to move that his speech be printed, together with the memorial. He concluded by moving that the memorial be printed and laid on the table.

Mr. *Wise*, of Va. now moved that the memorial presented by him, on the last petition day, from his own district, adverse to the removal of the deposits, together with the resolutions which he had offered, disapproving the reasons of the secretary, &c. be postponed to this day week; which was agreed to.

Memorials, &c. favorable to the restoration of the deposits, &c. were presented by Mr. *Beaumont*, from citizens of Luzerne county, Pa.; by Mr. *Galbraith*, from a public meeting in Erie county, Pa.; by Mr. *Laporte*, from citizens of Susquehanna county, Pa.; by the same, two memorials, the one signed by 1,049 persons and the other by about 400, all citizens of Bradford county, Pa.; by Mr. *Binney*, from citizens of Lycoming county, Pa.; by Mr. *Heister*, from a whig meeting in the borough of Columbia, Lancaster county, Pa.; by Mr. *Ramsay*, from citizens of Bucks county, Pa.; by Mr. *Denny*, from a meeting of anti-masons at Pittsburgh; by Mr. *Barnitz*, from citizens of York county, Pa.; by Mr. *Milligan*, (supplementary signatures to a memorial he had formerly presented from citizens of Delaware); by Mr. *McKim*, (instructions from 240 citizens of the first five wards of the city of Baltimore, instructing him to vote for a recharter of the bank); by Mr. *Lucas*, of Va. from citizens of his district; by Mr. *Loyal*, from 400 citizens of Norfolk county, Va.; by Mr. *Speight*, two memorials, the one from the northern counties of N. Carolina and the other from citizens of Wake county, in the same state; by Mr. *Hardin*, of Ky. from 600 citizens of his district; by Mr. *Love*, from citizens of Madison county, Ky.; by Mr. *Allam*, from citizens of Clark county, Ky.; by Mr. *Vance*, from 860 voters of Green county, Ohio; also twenty-one petitions signed by 900 voters of Clark county, in the same state; [these, Mr. V. stated, had been four weeks in his hands, and were now presented at the first moment an opportunity offered]; by Mr. *Patterson*, from Richmond county, Ohio; by Mr. *Whitelsey*, from citizens of his district; by Mr. *Vinton*, two memorials from citizens of his district in Ohio; by Mr. *Bell*, from 1,300 voters of Belmont county, Ohio; by Mr. *Duncan*, proceedings of a meeting in Morgan county, Illinois, and three memorials signed by 1,300 citizens of the same county—all which were read, referred, &c.

Memorials, proceedings, &c. opposed to the restoration of the deposits, &c. were presented, by Mr. *Beaumont*, from a meeting in Luzerne county, Pa.; by Mr. *Galbraith*, from a public meeting in Erie county, Pa.; by Mr. *Laporte*, the proceedings of seven public meetings held in the 17th congressional district of Pa.; by Mr. *Burd*, from Columbia county, Pa.; by the same from Cambria county, Pa.; by Mr. *Stewart*, from Fayette county, Pa.; by Mr. *Miller*, from 310 citizens of Adams county, Pa.; by the speaker, resolutions of a meeting held in New Castle, Delaware; by Mr. *Sloane*, of Ohio, from his district; by Mr. *Patterson*, from a meeting in Ilaron county, Ohio—also by the same from 100 voters of Seneca county, in the same state; by Mr. *Corwin* from a meeting in Warren county, Ohio; by Mr. *Mitchell*, from Zanesville, Ohio; by Mr. *Duncan*, from a meeting in Morgan county, Illinois; by Mr. *Plummer*, from two meetings in Fife and Doane counties, Mississippi—read, referred, &c.

On motion of Mr. *Garland*, an inquiry was instituted as to the expediency of making an appropriation for the purpose of removing a raft in the bayou Pigeon, one of the outlets of the Mississippi. The house adjourned.

*Tuesday, May 20.* Mr. *Polk* reported a bill for the reappropriation of an unexpended balance of a former appropriation for the payment of the Georgia militia claims for the years 1799, '93 and '94, and

Mr. *Pierce* reported a bill making appropriations for marine hospitals in the city of Baltimore and other places: which bills were twice read and committed.

Mr. *Horace Everett*, made a detailed and able report, accompanied by the three following bills, viz:

1. To provide for the organization of the department of Indian affairs.

2. To regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

3. To provide for the establishment of the western territory, and for the security and protection of the emigrant and other Indian tribes therein.

Which bills were severally read the first and second time, and committed to the committee of the whole house, and ten thousand copies of the report ordered to be printed by unanimous consent.

Mr. *Jones* moved the following resolution, which was unanimously agreed to:

Resolved, That Robert P. Lecher and Thomas P. Moore, esqs. have leave to be heard at the bar of this house, in defence of their respective claims to a seat in this house.

Mr. *Jones* then called for the reading of the report of the majority of the committee on elections.

Objections having been made, the house decided that the report should be read 69 to 57. It was then read through, and

Mr. *Banks*, moved that the reports and resolutions of the majority and minority be referred to a committee of the whole—negatived, yeas 84, nays 106.

The question then being on the first resolution with which the majority's report concludes, declaring Thomas P. Moore duly elected.

Mr. Banks moved the following amendment thereto: Strike out all after the word "resolved," and insert—"That all the legal votes which were received in Lancaster, (Garrard county), whilst Morris Grant, esq. acted as one of the judges, on the first morning of the election in August last, and those of a like character given on the second day of the election, in the casual absence of the sheriff, ought to be estimated in ascertaining the result of the election."

Mr. Briggs called for the reading of the minority's report, the other having been read.

Mr. Fillmore thought the reading was called for as a matter of strict justice, the other having been twice read.

The reading of the report was finally agreed to; and, after having been partly gone through with, the further reading was dispensed with; after which,

Mr. Banks addressed the house at large in support of Mr. Letcher's claim.

Mr. Jones replied to him; and was followed by Mr. Marshall, who, after speaking for sometime, gave way for a motion to that effect, and the house adjourned.

**Wednesday, May 21.** The house, in committee of the whole, proceeded to the consideration of the reports on the contested Kentucky election; when

Mr. Marshall resumed his remarks in reply to the arguments of Mr. Jones, and in support of the claim of Mr. Letcher.

Mr. Clayton and Mr. Hardin having followed, at length, on the same side,

Mr. Gilmer called for a division of the question on the amendment, so as to have it taken on the first paragraph, viz:

"Resolved, That all the legal votes which were received in Lancaster, (Garrard county), whilst Morris Grant, esq. acted as one of the judges, on the first morning of the election in August last, should be taken into the estimate in ascertaining the result of the election.

Mr. Zoon asked that the question should be taken on that part of the amendment which proposes "to strike out."

Mr. Hubbard, the speaker pro tem. said this was not in order.

Mr. Griffin called for the yeas and nays on the question, which being ordered,

Mr. Jones rose in reply, and in support of Mr. Moore's claim to the seat; when he had concluded,

Mr. Hamer obtained the floor, and moved an adjournment; whereupon the house adjourned.

**Thursday, May 22.** Mr. Stodert reported, without amendment, the bill from the senate, entitled "an act to provide for the construction and use of a lateral branch of the Ohio rail road, within the District of Columbia," which bill was twice read and committed.

A message was received from the president of the United States covering the convention between this country and Spain.

On motion of Mr. McComas, it was resolved to instruct the committee on roads and canals to inquire into the expediency of subscribing for stock to the James river and Kanawha company, in the state of Virginia.

The house then proceeded to the consideration of the reports on the contested Kentucky election; when

Mr. Hamer replied to the arguments of Messrs. Marshall and Hardin, and in support of the claim of Mr. Moore.

The majority and minority of the committee appointed to investigate the affairs of the bank of the United States, respectively presented reports, which, after some discussion as to fixing upon the time, were made the order of the day for Tuesday week, and ordered to be printed.

Mr. Vandercop moved for the printing of an extra number of 10,000 of each report; objections being made,

Mr. Clayton moved an adjournment, which was negatived; when the motion for printing an extra number was renewed, and objections being again made,

Mr. Miller moved to lay the whole subject on the table; but afterwards withdrew it—when, after some discussion, the house adjourned.

#### FOREIGN NEWS.

From Paris papers to the 15th April.

##### FRANCE.

That revolutionary spirit which has so often manifested itself for the last three years in France, displayed itself with more than ordinary violence on the 5th of April, at Lyons. It contains about 120,000 inhabitants, and is principally a manufacturing town. The insurrectionary movement commenced with the operative mechanics and manufacturers, and the leading, or immediate cause, was the arrest of six individuals belonging to an association called *Mutuellistes*, charged with an assault upon the procureur du roi. For several days the authorities of Lyons had been warned of a movement being contemplated, and had, therefore, prepared themselves for successful resistance, by a concentration of all their disposable forces. The *Mutuellistes* were but little disposed to join in the plot, and only such workmen as belonged to political societies joined the anarchists. It appears that the workmen made their first advances in columns, and in good order toward the *Palais de Justice*, announcing their resolution to protect their brethren then before the court, as the judges were defended by the troops; numbers of them being armed.

After ineffectual injunctions by the authorities to them to retire, hostilities commenced, and in the very onset about twen-

ty-five soldiers were put *hors du combat*. The troops are said to have observed the greatest forbearance, and to have acted for a considerable time on the defensive. This loss, however, caused them to retort with great vigor; and the workmen on their side, defended themselves with the utmost intrepidity. Their movements were directed with great regularity, and the orders given were followed with precision. Barricades and other defences were thrown up by them simultaneously in all parts of the town, as if by magic, and when driven by the artillery from these, they sought shelter in narrow streets, or occupied hotels and churches and other houses, whence they fired upon the soldiers. Three of the houses occupied by them were fired upon by the troops with grape-shot, and in one of them 150 prisoners were taken, many of them wounded. The fighting continued with but little cessation from the 5th to the night of the 12th of April, the latter day was bloody and decisive. The rebels, driven from their other positions, took refuge in three or four churches, and among others in the Cathedral, (and from their towers sounded the awful tocsin of alarm), which latter it was found necessary to besiege. All who were shut up in it, about 200 in number, are said to have perished. Two of the houses occupied by the rebels took fire, from the shells discharged against them.

The whole force of the insurgents was stated to be about seven or eight thousand; that of the government, at the commencement, was 8,000, but was subsequently augmented to 15,000.

The loss of the insurgents in killed and wounded is stated to be 600; that of the government troops 200. During the fighting of the 12th, the Hotel de Ville was taken and retaken three times, with great slaughter. The advantages were so decisive, however, on that day, as to lead to the restoration of comparative order and tranquillity.

The object of the insurgents, it is said, was to proclaim a republic. Encouraged by the movements at Lyons, the republicans of Chateaus-sur Saone attempted a similar movement there. On the morning of the 13th April several individuals seized and threw down several coaches in the middle of the bridge, and endeavored to form a barricade. On the summons of the officers of the troops, stationed on the bridge, they soon dispersed, and the coaches were thrown into the Saone by the soldiers.

In Paris, also, insurrectionary movements had taken place. On the night of the 12th of April, strong pickets paraded the streets, yet no serious difficulty occurred, but towards the evening of the following day, a degree of agitation was manifested in the quarter of St. Martin. Barricades were raised by seizing coaches and other vehicles, to impede the action of the forces, by which the insurgents might be attacked. Several of the narrow streets were blocked up, and some youths made their appearance armed with muskets, and with red cockades in their hats. As soon as these symptoms were known, the national guards repaired to the scene of disturbance, and, by six in the evening, Paris was traversed in every direction by troops. The greater part of the barricades were taken, though not without some loss. As the dukes of Orleans and Nemours were proceeding to join in the attack upon the insurgents, several shots were fired at them from the third story of a house in the Rue St Martin; a ball of one of which passed between the duke of Orleans and one of his aids-de-camp, and through the cap of a soldier at his side. A paving stone was also thrown at the prince from the same house. Enraged by these incidents, the infantry, who accompanied the princes, rushed into the house, and killed every person whom they found with arms in his hands. Generals Ruignyn, Bugeaud, Lascours and Tourton, marched upon the centre of the insurrection, carrying every barricade which opposed their progress, and completely sweeping several streets.

The insurgents intrenched themselves in houses with two entrances, and fired upon the troops from behind the window shutters. The animosity of the troops and of the national guard, who saw their companions thus falling under the shots of invisible enemies, now became at its height; they caused the pioneers to break open the doors, when they rushed in and did not suffer one of them to escape alive. In a few hours the insurrection was put down, and at 11 o'clock, on the morning of the 13th, the king reviewed his troops as usual. After the review, his majesty received in the hall of the marshals, all the officers of the regiments that had been reviewed, and in the presence of the queen, madame Adelaide, the young princes and princesses, addressed them with great emotion, calling them his "*dear comrades*," and returning them his warmest thanks.

The chambers of peers and deputies had waited upon the king in person, to tender him their congratulations upon the prompt suppression of the insurrectionary movements, and to renew their assurances of devotedness. He received them with distinguished marks of gratitude, and made pertinent replies to their respective addresses.

A passenger in the packet states that general Lafayette's health is so much impaired, as to cause fears to be entertained of his life.

Our minister, Mr. Livingston, was received by the king on the 3rd of April. The day before, he dined at the diplomatic dinner given by count Borga.

The government brig *La Curatissier*, with despatches, had left Brest for this country, and they are announced in the Paris



Journal of the 12th, as of such importance, that the brig sailed in a quarter of an hour after their receipt.

The *Tribune*, and *Bureau*, two of the Paris journals, had been suppressed, the one was seized on the 12th April, and the other on the succeeding day. The seals had not only been placed on the latter, but on the presses of M. Mie, the printer of that paper. M. Mie, and M. Surrot, one of the editors, had also been arrested. The warrants for these proceedings were signed by M. Thiers, minister of the interior, and they are founded on the law of 1814, which authorises the withdrawal of the patent of printer from any person who has been convicted of contravening the laws and regulations relative to the press.

#### BELGIUM.

A serious riot took place at Brussels on the 5th April. The dwellings of the duke d'Ursel, of the prince de Ligne, and of M. de Frazegnier were severally attacked by a large mob, the windows broken and furniture destroyed. No lives lost. These individuals were friendly to the house of Orange, and were ascertained to have contributed towards a newspaper of that party, which had been suppressed.

Tranquillity had been restored on the 12th, but the existence of such disgraceful scenes under the surveillance of the king, had awakened a general feeling of indignation in England.

#### LATER NEWS.

From London papers to the 15th and Liverpool to the 16th April, inclusive.

#### GREAT BRITAIN AND IRELAND.

Parliament had again assembled, and petitions were pouring in complaining of agricultural distress, and praying for the repeal of the disabilities of dissenters—for the abolition of tithes, and for the better observance of the sabbath.

Mr. O'Connell had addressed another letter to the people of Ireland, in which he reproves the supineness that had been manifested in procuring signatures for a repeal of the union. His requisition was for half a million of names, and less than 80,000 had been obtained. He attributes the deficiency chiefly to the prevalence of the cholera during the last winter.

A man named Corbett was recently shot by a policeman in the county of Tipperary, Ireland, which had so aroused the feelings of the people, that his funeral was attended by 200,000 persons the next day; and in retaliation, three policemen who were escorting a prisoner to a neighboring station, were met by 7 or 8 young men, returning from the burying, and murdered at 4 o'clock in the day, in the public road. Several persons had been taken up on suspicion.

#### PORTUGAL.

Lisbon and Oporto had been declared free ports.

A party of the queen's troops had obtained a considerable victory over the forces of Don Miguel before Oporto, and compelled them to retreat. The queen's troops then proceeded to Braga and took possession of it—while admiral Napier conquered Viana and Caminha, thus placing the whole province of Entre Douro e Minho under the command of the Pedroids. Villa Flor was to attack Coimbra, which if taken, would place nearly the entire coast of Portugal in possession of the queen.

Baron Soure, a lieutenant general in Don Miguel's army, had joined the queen's army. The affairs of the queen were every way encouraging and those of Don Miguel gloomy in the extreme. Don Miguel's troops had been defeated in a fight before Santarem, and he escaped by swimming.

#### IMPORTANT SPANISH DECREES.

It will be seen from the following that the queen's government has determined to put down political priests, by touching them in very tender places—their temporalities.

The decrees lately published in the *Madrid Gazette* have already been described in the letters of our correspondent, but the great importance of the two which relate to the property of rebellious ecclesiastics induces us to insert complete translations of them. [London Times.]

#### ROYAL DECREES.

"The criminal obstinacy with which some individuals belonging to the secular clergy have disregarded the reiterated admonitions of my government, and neglecting the exemplary sanctity and the meekness essential to their order, have converted themselves into partisans and accomplices of the faction which disturbs and afflicts the country, calls for the adoption of severe measures to maintain the lustre and dignity of the clerical body itself, and to provide for the safety of the state. For the purpose of accomplishing these important objects, I have resolved on the following decree:—

"Art. 1. Possession shall be taken of the temporalities of all secular ecclesiastics, of whatever class or hierarchy, who joining the ranks, or the revolutionary juntas of the rebels, or emigrating from these kingdoms without the competent license, may have abandoned, or shall in future abandon their churches.

"Art. 2. As the criminal acts to which the preceding article refers are such as are done openly, and may easily be known by notoriety, the confiscation of the temporalities shall take effect immediately on the flight of the ecclesiastic becoming known by public report.

"Art. 3. In like manner the temporalities of the ecclesiastics who shall assist the factions by providing them with arms, ammunition or money, to forward their iniquitous plans, shall be confiscated.

"Art. 4. Moreover, the temporalities of the ecclesiastics who shall receive or conceal the rebels, or shall induce any persona to join them, or shall excite movements and seditions among the people, in order to withdraw them from the obedience due to the government, shall be confiscated.

"Art. 5. In order that the confiscation of the temporalities may take effect in the cases provided by the foregoing articles, it shall be only preceded by a short and summary inquisition, and no further measures shall be requisite.

"Art. 6. The procurador sindicó of the place where the ecclesiastic whose temporalities may be confiscated resides, shall, in virtue of his office, take care that they are transferred to the sub-delegate of provincial rents, information thereof being transmitted to me through your department.

"Art. 7. If the ecclesiastic possess a benefice with the cure of souls, such an amount shall be deducted from the seized temporalities as, according to the decision of the synod of the respective bishops, shall be a sufficient income to the individual appointed to fulfil that charge.

"Art. 8. The fund of temporalities which may result from the application of this decree, will be destined to the payment of the assignments which I may be pleased to grant for the drying up of the tears, and the consoling of the parents, children, and widows of the loyal who may be killed, or may die in defence of the safety of the country, and of the legitimate rights of my exalted daughter; and the remainder, if there should be any, will be applied to the extinction of the public debt.

"Art. 9. The enforcement of the penalties prescribed by this decree shall in no wise prejudice any judicial proceedings undertaken according to due course of law.

"Take notice hereof, and do what is needful for the fulfilment of the same.

"In rubric, by the royal sign manual, at Aranjuez, 26th March, 1834. D. NICOLAS MARIA GARELLY."

"The asylums which religion has consecrated to retirement and virtue cannot be converted into centres of rebellion, without prejudice and injury to institutions which are the objects of the veneration of a Catholic country. But as, unfortunately, experience has shown that some monasteries and convents have been, and are still, profaned by subversive plans and deeds, desiring equally to consult the safety of the state and the honor and sanctity of the cloisters, I have resolved on decreeing as follows:—

"Art. 1. Any monastery or convent, whatever its institution may be, from which any individual belonging to the community shall fly in order to pass over to the rebels, shall be immediately suppressed, if within the space of 24 hours afterwards the prelate does not give information thereof to the nearest authority, and certify that he has commenced the necessary proceedings against the fugitive.

"Art. 2. Any monastery or convent from which the sixth part of the community shall fly to pass over to the rebels shall also be suppressed.

"Art. 3. In like manner, any monastery or convent into which warlike stores, clothing, arms, or ammunition shall be received, with the connivance of the superior, shall be suppressed.

"Art. 4. Moreover, any monastery or convent in which it may be proved that clandestine juntas have met with the permission or knowledge of the superior, to subvert order and conspire against the state, shall be suppressed.

"Art. 5. The objects consecrated to worship belonging to the monasteries or convents which may be suppressed by virtue of the present decrees shall be distributed by the respective diocesan among the most necessitous parishes, information of the executive thereof being transmitted to me.

"Art. 6. The moveable and immovable property belonging to the monasteries or convents so suppressed shall be immediately sold by public auction, according to due course of law.

"Art. 7. The fund of temporalities which may result from the provisions of this my royal decree will be applied to the payment of the pensions, which I shall assign to the parents, widows, and orphans of the loyal Spaniards who may die in defence of the throne and the country; and the remainder, if any there should be, will be destined to the extinction of the public debt.

"Art. 8. The application of the foregoing provisions is to be understood as in no wise prejudicing the institution of any proceedings against those who may be guilty of conspiracy against the state.

"Take notice hereof, and do what is needful for its fulfilment.

"In rubric, by the royal sign manual, at Aranjuez, March, 26. D. NICOLAS MARIA GARELLY."

#### THE NIGER EXPEDITION.

From the *London Literary Gazette*.

Accounts of this expedition, up to the 5th of January, have been received. At that date, Lander was on board the Curlew slip of war, on his way to Cape Coast Castle, for the purpose of procuring a particular species of goods for the markets in the interior, of which he had not previously taken a sufficient supply. If successful in this object, it was his intention to return to the mouth of the Niger, thence to ascend the Niger for the third time, and endeavor to penetrate as far up the river as Bousa. Previous to his last return to the coast, Lander and lieutenant Allen had fortunately reached Rabbah, or Rabba (a

large Falutah town), in the iron steamboat; and, for the space of thirteen or fourteen days, had maintained a friendly intercourse, and carried on an advantageous trade, with its inhabitants. The depth of the water at that place was between two and three fathoms, and, as far as could be seen beyond it, the Niger was free from rocks and other obstructions, and assumed a majestic and very encouraging appearance. This important town is inhabited by Falutahs and negroes, and realizes the expectations that had been formed of it, as regards its extent, its wealth and its population. A few Tuaricks, from the borders of the desert, and other Arabs, were observed by our countrymen in the streets of Rabball.

Another important feature is, our travellers ascended the river Tshadda, as high as 150 miles from its junction with the Niger. At that point, and at some distance below and above it, the river was found to be intersected with islands, and comparatively shallow, alternately becoming broad and narrow, in proportion as its channel was free from, or obstructed by these islands. No traces of inhabitants appeared on the banks of this river; and Lander, and his valuable coadjutor was compelled to return to the Niger for want of provisions. All the natives in this part of the country agree in the assertion that the Tshadda communicates with Lake Tshad, the inland sea of Africa. They do not hazard this as a mere conjecture, but state it with confidence as a well known and undisputed fact. On a small island near Atta, Lander has erected a kind of mud fort, which will also answer the purpose of a depot for British goods. This place has been named English Island, and it possesses peculiar facilities for trading purposes in that part of the country. The king of Atta, who seems to have formed an attachment to Lander, had presented him with four small, but very beautiful horses, which he succeeded in conveying to Fernando Po. Poor old Pasko, the black who buried Belzoni, is dead. He had joined the present expedition at Cape Coast Castle, and expired up the Niger, after a short illness. Lieutenant Allen has rendered an important service to the cause of science by the observations he made while on the Niger and Tshadda. He is expected to arrive shortly from the coast of Africa. Lander is lost every symptom of his late severe indisposition, and looks as hardy as an Arab. He wears a luxuriant beard, which extends to his waist.

Another account says—  
Mr. Lander relates that they found a city called Nunda, on the Tshadda, which contains 60 or 70,000 inhabitants. The walls are 20 feet high. The king is a brutal savage. He has in his seraglio 1,500 women. He detained the English and would not let them return, pretending to be influenced by the gods. He said the gods had been frequently consulted, but they would not give a favorable answer. Laird took advantage of the king's superstition; told him he would send a messenger to the gods, and if it burned blue, it would be an indication of a favorable reply. Laird sent up a blue light, which made such an impression on the king that he released the party. The slave trade is carried on up and down the Niger. While Mr. Laird was up the river, about 1,000 of the people of Nunda made an incursion along the bank of the Niger, and sacked the country far and wide. Their object was slaves and booty. They make pipes so long that they can smoke when riding, with the bowl of the pipe resting on the foot. They are ignorant of distilling, and have not yet acquired a taste of rum. At one place on the Niger, the priests sacrificed a human victim, and threw the body in pieces into the river to prevent the English going up; the ignorant natives thought this would put a stop to their progress, and were much disappointed when they found the incantations of the priests of no avail.

NEW YORK ELECTION RIOTS.  
*Presentment of rioters*

By the grand jury to the court of sessions on Saturday last.—  
The grand jury for the May term of the court of sessions for the city and county of New York, being about to close their duties and having in the prosecution of them been called to the investigation of the unfortunate riots that occurred during the late election in April, deem it to be their duty to make a presentment in relation to this unprecedented occurrence, to the court, and their fellow citizens at large.

In canvassing the mass of testimony that has been adduced in reference to this matter, it has been the constant desire of the jury so to discharge their duties, that while the guilty should be brought to punishment, the recurrence of scenes so disreputable and dangerous to the peace of the city, might hereafter be prevented.

The result of this investigation has been the finding true bills against a number of individuals, and in one case where human life was brought to its very verge by the violence exercised. While these instances have been comparatively few, owing to the impossibility of identifying the aggressors, it is evident that personal safety, human life, and the good order of this community have been endangered beyond precedent.

The grand jury therefore turn to the people, from whom the law principally emanates, for relief; and would earnestly recommend to our legislators their most serious consideration of this subject, as involving not only their lives and property, but as vital to the preservation of our republican institutions. All must be deeply sensible of the many and appalling evils consequent on a resort to physical force at any period—and more particularly during the exercise of the elective franchise. While a proper

zeal in conducting our elections is commendable, it is desirable that it be so attempted as not to inflame the citizens or interrupt the free exercise of their civic rights. And on the occurrence of scenes like those brought to the cognizance of this jury, it is all important that they should be checked in their incipency.

In reference to this, and in review of the whole subject, they are fully of opinion that the plan now in agitation, of registering the names of voters prior to every election, is best calculated to avert the recurrence of so lamentable an evil as that alluded to—to prevent the frequency of perjury, so demoralizing in its tendency, and to accomplish that provision of our Constitution which declares that "laws should be made for ascertaining by proper proofs, the citizens who shall be entitled to the right of suffrage."

In conclusion, this grand jury express their belief that this subject cannot be too seriously weighed or too seriously acted upon by their fellow citizens.

JAS. K. HAMILTON, foreman.

New York, May 17, 1834.

☞—A register of the voters is the only mode of safety. We are friends of free suffrages—of universal suffrage, if the term pleases any one better—but think it ought to be made a high penitentiary offence for any one to rob us of a just exercise of that right, by voting unlawfully. Ed. Reo.

BANK OF GEORGIA.

Abstract of the general statement of the bank of Georgia and its branches on the 7th April, 1834.

Notes discounted.....	\$1,561,101 35
Bills of exchange discounted.....	579,619 75
Notes and bills of exchange in suit.....	223,390 63
Real estate.....	50,187 04
Banking houses and lots.....	60,500 00
State bank stock.....	25,693 00
Profit and loss.....	14,047 24
Steamboat and Savannah corporation stock..	26,200 00
Salaries.....	15,365 67
Incidental expenses.....	5,220 73
Bridge at Augusta.....	55,000 00
Assignment of judgments.....	5,600 00
Protest account.....	406 75
Due from local banks.....	67,653 45
Due from state banks.....	184,078 74
Bills.....	198,025 00
Bills Pr. bank Savannah on hand.....	238,894 00
Bills of branches on hand.....	1,005,916 00
Specie on hand.....	346,769 00
Capital.....	1,500,000 00
Bills signed for Pr. bank Savannah.....	368,005 00
Bills signed for branches.....	1,831,896 00
Dividends unpaid.....	3,479 00
Discount account.....	114,342 86
Surplus fund.....	28,883 14
Due to other banks.....	326,339 01
Due to state banks and branches.....	204,235 01
Undivided deposits.....	986,418 23

"BILLS OF CREDIT."

AN IMPORTANT LAW CASE.

From the Lexington, (Ky.) *Intelligencer*, of May 6.

MERCER CIRCUIT COURT—MARCH TERM, 1834.

Judge Bridges, presiding.

The president and directors of the bank of the }  
Commonwealth of Kentucky. }

against  
Nelson Mayes.

In del.

This is an action of debt by petition and summons, brought upon a note executed by the defendant, &c. to the plaintiffs, for the payment of a sum of money therein specified. The defendant filed a demurrer to the petition, and two special pleas in bar of the action. The plaintiffs joined the demurrer and demurred to each plea, which was joined by the defendant. The pleas allege in substance, that the note sued on was given in renewal of another note, and that of a preceding one; and that the only consideration given for the original note, was notes issued by the plaintiffs, and by them loaned to the principal obligor in the original note; and that the notes, so loaned, were bills of credit, issued by the state of Kentucky, through, and by means of the commonwealth of Kentucky, contrary to the constitution of the United States.

In the consideration of this case the following questions are presented.

1st. Is the act of assembly establishing the bank of the Commonwealth, a valid act, or is it repugnant to the prohibition in the constitution of the United States, which declares that "no state shall emit bills of credit?" 2d. If the notes of said bank are bills of credit within the meaning of the constitution of the United States, can the defendant successfully plead their illegality in bar of this action?

Influenced, as well by the importance, delicacy and difficulty of the questions involved in this case, and the responsibility inseparable from a decision of them, the court felt a strong wish that the cause should stand over until a similar case, now pending before the supreme court of the United States should be decided; but the counsel for the parties being opposed to such postponement, and urging a decision at the present term, the court is constrained to submit its wish to their will.

Preliminary to a decision of these questions, it is deemed proper to give a brief analysis of the act of the legislature establishing the bank, and the subsequent acts connected with it.

The preamble to the act, recites that it was deemed expedient to establish a bank on the funds of the state, for the purpose of making loans for longer periods than customary, and for the relief of the distressed of the community. The bank is established in the name and on behalf of the commonwealth of Kentucky, with a capital stock of two millions of dollars, to be exclusively the property of the state, and no individual permitted to own stock: it is placed under the direction of a president and twelve directors, elected annually by a joint ballot of both houses of the general assembly; they are made a corporation and body politic, by the name and style of the president and directors of the bank of the Commonwealth of Kentucky, they are authorised to appoint a cashier, clerks, &c. the president and cashier have a fixed annual salary, paid by the state: the cashiers are required to give bond and security to the commonwealth for their fidelity, &c. the corporation is permitted to issue notes to the amount of three millions of dollars, and of any denomination under one hundred dollars: they are authorised to loan their notes and funds at an interest not exceeding the rate of six per centum per annum; and to apportion the loans to each county in proportion to its taxable property for the year 1820. Loans were directed to be made to such individuals only, during the year 1820, as might need them for the purpose of paying his, her or their just debts, or for the purpose of purchasing the live stock or produce of the country for exportation: they are required to report annually to the legislature, and to keep a minute of their proceedings, to be at all times subject to the demand and inspection of the legislature, or a committee thereof. Twelve branches are established and located at different points in the state, the capital stock to be raised and paid in the following manner, to wit: All moneys thereafter paid into the treasury for the purchase of the vacant lands of the commonwealth; all moneys thereafter paid into the treasury for the purchase of land warrants: all moneys which might thereafter be received for the sale of the vacant lands west of the Tennessee river; and so much of the capital stock owned by the state in the bank of Kentucky, as might belong to the state after the affairs of said bank should be settled up, with the profits thereof not heretofore pledged or appropriated by law, and the revenue of the state unappropriated at the end of each session of the legislature. The interest arising from the loans and discounts of the bank, after defraying its expenses, to constitute a part of the annual revenue of the state, and to be subject to the disposition of the legislature. The bills or notes of the bank to be receivable at the treasury of the state, and by all tax gatherers and other public officers, in all payments for all taxes or other moneys then due or to become due to the state, and by all collectors of the county levy, and in payment of all officers' fees and salaries, &c. A sum not exceeding \$7,000 is appropriated out of the treasury of the state, for the purchase of plates and other necessaries to carry the bank into complete operation. By another act, passed at the same session, it was among other things provided, that if the plaintiff in any execution, should endorse thereon "that either notes on the bank of Kentucky or its branches, or notes of the bank of the Commonwealth or its branches might be received by the officer in discharge of the execution, the defendant in the execution, should be entitled to a replevin for 3 months only; if the plaintiff failed to make the endorsement the defendant should be entitled to a replevin for two years." By the 15th section of another act, passed the 26th of December, 1830, entitled an act "to amend and extend the charter of the bank of Kentucky," it is in substance made the duty of the president and directors of the bank of Kentucky, to pay over to the cashier of the bank of the Commonwealth, the amount of the stock of the state in that institution, and to make such payment in specie or in notes of the bank of the Commonwealth of Kentucky or its branches, in three annual instalments, commencing on the 1st day of Dec. 1824.

That it is the right and duty of the judiciary to declare an act of the legislature void and inoperative, and refuse to execute it, if it be repugnant to the constitution, is so clearly deducible from principle, and so well settled by repeated adjudications, that no doubt on that subject can be entertained. But it is contended by the counsel for the plaintiffs, that the questions now present for the decision of this court, have been settled by the adjudications of the appellate courts, in the cases of *Lampton vs. the Bank, and Briscoe, &c.* against the same. Upon an examination of the mandate and opinion in the latter case, it will be found that the court of appeals has based its decision upon the authority of the case of *Lampton* against the bank—the printed report of that case does not show upon what ground the judgment of the circuit court was affirmed. It may or may not have been upon the constitutionality of the bank charter. From auzh that appears from the report of that case, it may have gone off from the failure of the party to file a transcript of the record within the time prescribed by law, or the informal manner in which the plea was drawn, presenting the constitutional question for decision.

A party who relies upon the decision of a court settling principles intended to rule the decisions of the subordinate, should show the grounds on which the case was decided. The mere reversal or affirmance of a judgment unaccompanied by any reasons why or wherefore it was so adjudged, does not settle any principle which should be obligatory on the subordinate courts.

The court is not apprised of any constitutional provision, or statutory regulation, making the decisions of the appellate court authoritatively and preemptorily binding on the subordinate courts. But this court disclaims all disposition to disturb that which has been settled. It is important to society, that the administration of the laws should be steady and uniform, and that the decisions of the subordinate should conform to those of the appellate court, settling principles. And no court would do so more readily than in cases where the appellate court possessed the ultimate supervising power. But it should be recollected that this case belongs to that class of cases over which the supreme court of the United States has the ultimate supervising power under the 25th section of the judiciary act of 1789. In all such cases the decisions of the appellate court of the state should not have an authoritative effect on the subordinate court. Their decisions and opinions in all such cases, should be regarded as persuasive evidence of the law, and entitled to high regard and respect, on account of the acknowledged talents and acquirements of the judges; but they should not bind as authority. The appellate court of this state have upon many occasions acknowledged its subordination to the supreme court of the United States in cases where that court had the ultimate revising power, and have been constrained to surrender their declared opinions and conform to those of the supreme court. (See Marshall's reports, page 75 commonwealth vs. Morrison. 3d Monroe's reports, page 270, *Ferry against Blight*. 5th Monroe's reports, page 283, *Eubanks vs. Poston, &c.* 3d Marshall's reports, page 422, *bank of the United States vs. Norton, &c.*) The court will therefore proceed, reluctantly, to decide the questions presented.

1st. Is the act of the legislature establishing the bank of the Commonwealth constitutional or not? Are the notes of this bank, bills of credit within the meaning of the constitution? The clause in the constitution which this act is supposed to violate, is in these words: "No state shall emit bills of credit." What is a bill of credit? What did the constitution mean to forbid? The terms, bills of credit, are in themselves vague and indefinite, and like many other terms and expressions, are only to be ascertained by reference to the legislative acts and history of the times in which they originated, and as they were used and understood by those who lived [and] acted at the time of the adoption of the constitution. To emit bills of credit conveys to the mind the idea of issuing paper intended to circulate through the community for its ordinary purposes as money. It is believed that this is the sense in which the terms of the constitution have been generally understood. The phrase, it is believed, was well known, and generally used to indicate the paper currency issued by the states during their colonial dependence. During the war of the revolution the paper currency issued by congress was constantly denominated in the acts of that body *bills of credit*; and the like appellation was applied to similar currency issued by the states. At the time of the adoption of the constitution, bills of credit were universally understood to signify a paper medium, intended to circulate among individuals, and between government and individuals for the ordinary purposes of society. (See *Craig vs. the state of Missouri*, 4th Peters' reports, pages from 410 to 432. Story's commentary on the constitution, vol. 3, pages 227, 228. For a description of the paper system and its pernicious effects upon the community, see the *Federalist*, page 242. *Belknap's history of New Hampshire*, vol. 2, page 425; *Williamson's history of N. Carolina*, 2d vol. pages 38, 39, 81, 114, 115; *Jefferson's writings*, vol. 1st. pages 401, 411, 412.)

What did the constitution mean to prohibit by the clause, "No state shall emit bills of credit?" It should be recollected that the framers of the constitution were wise and patriotic men—they had lived and acted during the most eventful period of our history—they had seen, and no doubt regretted the many evils which resulted from the paper system—they were no doubt well apprised that the terms *bills of credit* and *paper money* were synonymous, whether issued by the state, governor, commissioners, committee or other agents of the state. It was well known that the value of this paper medium was continually changing, and these changes, often great and sudden, exposed individuals to immense losses, and were calculated to destroy that confidence which should ever exist between man and man. In no country more than our own have these truths been felt in all their force; in none has more intense suffering, or more widespread ruin accompanied the system.

They saw the necessity of one uniform standard of value throughout the United States, and therefore made the following grant of power to the general government, "to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures." It was therefore the object of the prohibition to cut up the whole mischief by the roots, because it had been deeply felt throughout all the United States, and had deeply affected the prosperity of all. The object of the prohibition was not to prevent the thing when it bore a particular name, but to prohibit the thing whatever name or form it might assume. If the words are not mere empty sounds, the prohibition must comprehend the emission of any paper medium by a state for the purpose of common circulation.

It would be preposterous to suppose that the constitution meant to prohibit an emission under one denomination, leaving the power complete to issue the same thing under another. It can never be seriously contended that the constitution meant to prohibit names and not things—to deal with shadows, and

leave substances. What would be the consequence of such a construction? That a very important act, big with great and ruinous mischief, and on that account forbidden by words the most appropriate for its description, might yet be performed by the substitution of a new name—that the constitution, even in one of its vital provisions might be openly evaded by giving a new name to an old thing. Call the thing a bill of credit and it is prohibited; call the same thing a certificate, paper bill, bank note or any other name, and it is constitutional. (See story's commentary on the constitution, volume 3d, pages 232, 239. Craig against the state of Missouri, 4th Peters, page 432.)

But the validity of the act is attempted to be maintained on the ground, that the emission of the notes now in question, was made by a corporation, and not by the state. The old and sensible maxim, *ille qui facit per alium, facit per se*, has been incorporated into our system, and recognized and acted upon by our courts; but if the questions involved in this case shall be ultimately decided in favor of the plaintiffs, this maxim will be reversed, and the principle established that a state may do that by a corporation which it cannot do by itself. Can a state delegate powers to others to do an unlawful and forbidden act? It is believed not. Can the mere name "bank," the president and directors of which are appointed by the state, sanctify the act which under another name would be unconstitutional and void? If so, the state may, by interposing a bank, avoid the prohibition, and introduce into the community, that ruinous paper system, the effects of which were so severely felt before the adoption of the constitution, and which the prohibition intended to interdict. And they might by a like subterfuge render inoperative many of the most important grants of power and prohibitions contained in the constitution, the effect of which would be to undermine the constitution, reject its substances, and be cheated by its shadows.

But an attempt has been made to maintain the legality of the emissions of this bank on the ground that the legislature had set apart funds and made ample provisions for the redemption of the notes. Conceding this to be the fact, it does not necessarily follow that the emission in question was lawful. It should be recollected that the prohibition is unconditional and peremptory, "no state shall emit bills of credit." It therefore seems to this court that no state can constitutionally emit bills of credit, or any other paper intended to circulate in the community as money, whether such emission be based upon a metallic capital, or upon the faith and credit of the state.

The right and power of the state to incorporate private companies for banking purposes, and the emission of notes based upon metallic capital is conceded by this court. It is also conceded, that in such banking establishments the state may also be a stockholder, but in becoming so, it so far as that matter is concerned, divests itself of its sovereign character, and sinks to the level of its associates. But the right of a state to establish a bank, and be thereof the sole and exclusive stockholder, and to emit paper money, intended to circulate as such, based upon its own funds, cannot, in the opinion of this court, be maintained upon constitutional principles.

But did the state provide a fund for the redemption of the notes, authorised to be issued by this bank?

It may be safely contended that it did not, nor did it provide any fund whatever. It is a fact, shown by the judicial proceedings of four courts, that the notes of this bank were, from their first emission, greatly below par; and in less than one year after the first emission, they were at fifty per cent. discount.

It should be recollected that by the act incorporating this bank, "the revenue of the state remaining unappropriated in the treasury at the end of each session of the legislature, the proceeds of the sale of the vacant land of the state, the purchase of land warrants, the sale of the land west of the Tennessee river, and so much of the capital stock owned by the state in the bank of Kentucky as might belong to the state after the affairs of said bank should be settled up, with the profits thereof not theretofore pledged or appropriated by law, constituted its capital stock. It should also be recollected that all the sums arising from those sources were made payable in specie, or in the notes or bills of the bank of the Commonwealth, upon the supposition that the funds arising from those various sources, were realised and actually paid into the bank. Of what did its capital stock consist? Most obviously of its own depreciated notes. For, although the debtors had the election to pay in specie or notes upon the bank of the Commonwealth, the presumption is irresistible that the payments were made in paper of the bank, as it was greatly below par. It therefore seems to this court, that the bank has been established by the state with no real or substantial capital whatever. Its notes have been put into circulation simply upon the credit of the state. What are its issues but bills of credit issued by the state? Did the legislature, by establishing this bank intend its notes or paper to circulate through the community as money? That such was the object and design of the legislature cannot be doubted. The preamble to the acts, the enormous issue of notes, the locations of various branches in different sections of the state with their directors and officers, the apportionment of the loans to the different counties, the limitations upon loans, the restrictions upon loans in the year 1821, the permission to issue notes of any denomination under one hundred dollars; and the fact that they were issued for as small sums as twelve and a half cents, and when so issued, were made receivable at the treasury of the state, and in payment of all moneys then due

the state for the purchase of land warrants, and for the sale of the vacant lands west of the Tennessee river, and for all taxes then due or to become due to this state, they were made a legal tender in payment of all salaries and officers fees, were forced upon creditors, or their refusal to take was punished by the penalty of two years delay in the collection of their just debts, furnish conclusive evidence to the mind of this court, that such was the design and intent of the legislature. This bank is owned and governed by the state, it is established in the name and on behalf of the state, the state pays and defrays its entire expenses, all individuals are induced from participating in it, its paper is circulated as money, it is receivable and redeemable by the state, and derives its circulation and negotiability from the credit of the state. If its notes are not bills of credit within the meaning of the constitution, it will be difficult to characterize a BILL OF CREDIT.

The court has attentively examined the case of Craig, &c. against the state of Missouri, and is of opinion that the adjudication of the supreme court in that case, is decisive of the important questions raised in this case, and must rule the decision of this court on the first question in favor of the defendant. (See 4th Peters's Rep. page 411.)

2d. Can the defendants successfully plead the illegality of the consideration given, for the note sued on, in bar of this action?

The court is of opinion that he can. It has never been doubted that a note given on a consideration which is prohibited by law is void. The adjudications on this point are numerous. (See 4th Peters's Rep. page 411; 14th Mass. Rep. p. 322; 5th Johnson's Rep. p. 327; 3d Wheaton's Rep. p. 204; 3d Bibb, p. 257; 3d J. J. Marshall's Rep. p. 478; 3d Bibb, p. 500.)

The court is therefore constrained, by a sense of duty, to overrule the demurrers filed by the plaintiffs to the pleas of the defendants. The demurrer, filed by the defendants to the petition, is also overruled.

#### GENERAL POST OFFICE.

Remarks of Mr. Connor, of N. Carolina, in reply to the speech of Mr. Lincoln, on the appropriation for clerk hire for the general post office.

Mr. Connor said, he hoped the house would pardon him for again trespassing a short time on their patience. Standing in the relation in which he did to the post office department, he felt it to be not only necessary, but his duty, to explain and correct many misapprehensions that gentlemen had fallen into. He was disposed, at all times, to economize and retrench, in this or any other department of the government; and, if gentlemen would show that it was necessary and proper to reduce this item in the bill, he would go with them most cheerfully; but, from his knowledge of the affairs of the post office department, having been for the last six or seven years of the committee on the post office and post roads, and such had necessarily been his intercourse, as to have made him familiar with its business and labors; and he unhesitatingly said, that he believed the number employed has been absolutely necessary to the proper performance of the duties of the office, and that the postmaster general, in employing extra clerks, has done so with a strict eye to economy. It may not be, and perhaps is not, known to gentlemen, that many of those clerks receive only \$400, and several as low as \$200. The gentleman from Massachusetts (Mr. Lincoln) says, the postmaster general is not authorised by law to employ extra clerk hire. He is correct. There is no such law, but to do so has grown into law by usage; from necessity it must be so, and cannot be otherwise. Such has been the practice for fifteen years, and has at all times been sanctioned by congress, and must so continue, until the department has reached its greatest height. The exact force necessary cannot be ascertained by any one. Any number of clerks which are sufficient at this time, will not be able to perform the labor six months hence. Judge McLean expresses that opinion in a letter to Mr. Barry, and which he had read when up before. The gentleman (Mr. Lincoln) speaks of disposing of one-half of this tribe. He knew not what the gentleman meant, when he speaks of the clerks as a tribe—whether intended as an expression of reproach or otherwise—but he begged to say to him, his acquaintance with those clerks justified him in saying they were honorable and meritorious, who are always to be found at their posts, and laboring early and late at their business may require; and, if the gentleman will go to the department, and go through it, and examine for himself, he must become satisfied that his opinion of the requisite labor is erroneous. Sir, the duties of solicitor, examiner and officer of appointments—the gentleman inquires what they are, as if to afford himself an opportunity of answering his own questions, and does answer them in his own way.

Mr. C. said, if he would allow him, he would give to him correctly, what are the duties of those bureaus, if permitted so to call them? "The duty of the solicitor is to attend to the final settlement, or closing of all accounts; the collection of all balances; the commencement of suits; and the correspondence with United States' district attorneys, and others, in relation thereto; also the correspondence concerning the post accounts of postmasters." "The examiner's office is that which is charged with the crediting and examining of all postmasters' accounts, the correspondence connected therewith, receiving and depositing in bank such remittances as are specially authorised; returning what is not receivable, and with notifying and reporting delinquents." "The duties of the office of appointments

consists in the examination and endorsements of memorials, letters and reports; obtaining and noting information from the book-keepers and the office of mail contracts; filing papers in appropriate parcels and cases; notifying charges against postmasters and assistants, and complaints of the location of offices; writing references of cases, &c. They also prepare abstracts of cases; register and attest commissions, and enter the charges, discontinuances and appointments, in the bond book, with the penalties of the bonds; inspect all bonds after execution, and return them for correction when required."

He might go through the whole organization of the department, and shew its propriety. It is substantially the same that has always existed; and, without some such assignment of duties, no department or other extensive establishment could get on. The gentleman (Mr. Lincoln) speaks of routes abused, and contracts by men not worthy of confidence. Does the gentleman not know that the postmaster general has nothing to do with the establishment of routes, that they are established by congress, and that his duty is afterwards to put a mail on those routes? Can the gentleman put his finger on any such unworthy contractor, in his district or section of country? He cannot. I suppose the gentleman alludes to the extra allowances that have been made, the extras and stars in the Blue Book, that has made so much noise at the other end of the capitol, charged by many as being improper, and no one will venture to ask to have them discontinued. As to his own section of country, as well as others of the older states, they obtained in their original contracts their full share, and all that was desired. If there be any such unworthy contractors as the gentleman seems to suppose, he knew them not. There may be routes that should be discontinued; and, whenever a bill has been presented for the establishment of new routes, there has been also a number with it reported for discontinuance by the postmaster general; but it has been rare, that the members have permitted those or any of them to be discontinued.

The gentleman says the department is plunged irrevocably in debt, and is insolvent from \$500,000 to one million of dollars. And his colleague over the way, (Mr. Reed), says the department is unable to pay—which means it is insolvent, as I understood him. He would answer both those gentlemen at the same time, by saying to them, they are mistaken. Such is not the fact. Mr. C. said he would take the responsibility of here saying, that the amount due by the post office department does not exceed \$300,000 beyond their available means, and that, during the next year, they would be free from debt; and very shortly thereafter, will be prepared to grant facilities, in the shape of extras, if it be necessary, for the accommodation of the people. As to the department's being insolvent, a moment's reflection must satisfy any and every gentleman how perfectly idle it is to suppose such a state of things. Congress establishes the post roads—the postmaster general is required to put a mail on them. The power and manner of transporting that mail, either by horse or coach, weekly, twice or thrice weekly, or daily, is vested solely in him, and he could, if necessary and proper, discontinue every coach in the United States from its service, and have the mails transported the cheaper way on horseback. The gentleman has said something about contractors applying for their pay, and its being refused, and they threatened by the department, that they would be paid in forfeitures. The gentleman has been incorrectly informed. It is not so. No such case has ever occurred. If the pay of a contractor has been withheld, there is some cause for it; some difficulty, in relation to the performance of their duties; and he called on the gentleman to name any one of those, if he could.

Here Mr. C. said he would reply after the manner of a Yankee, by asking another question: had not contractors often been at the department, and been refused their pay—and were told they were defaulters? Mr. C. said no contractor had applied at the department for his pay, that did not receive what was due to him. He had but a moment before expressed the belief, that there must be some cause for a refusal, if any such there was. He had touched the right chord; the gentleman's inquiry explains it—he has heard of some one, who was a defaulter, complaining—and that is all. Forfeitures can only be charged against a contractor after they occur, and are reported to the department. He begged now to say a word or two to the gentleman from Maine, (Mr. Evans), who complains, that contractors, in his state, have been paid with post notes, and have lost four or five per cent. in the sale or exchange of them? Mr. C. said, those post notes were on specie paying banks, and what better could the gentleman expect? When his constituents enter into a contract with the postmaster general, no particular kind of money is required or specified. The contractor expects good money, and the department expects to give good money, and does give him such. As far as the amount collected, in each state, in the shape of postage, goes, it is paid to the contractors. When that falls short, the department pays in draughts or post notes of banks where they may have deposits; those being always specie paying banks. And such, I presume, is the fact, with Maine, as with many other states; the receipts of the whole state is not equal to the expenditures by twenty or twenty-five per cent. made in those states; and this may account for the fact of the gentleman's constituents being paid off in post notes. Sir, said Mr. C. the post office in the city of New York alone, yielded, the year ending in 1833, \$179,000; in Philadelphia, \$112,000, &c. thus, in a single post office, the amount received is greater than that yielded in three or four states together. The department must, from necessity, transfer the

money from those states, where there is a surplus, to those where there is a deficiency and want. As to the inquiry why the committee on the post office and post roads have not examined and reported in relation to this department, he could only say, the facts had been reported to the house by the postmaster general in his annual report; that no call has been made on this committee, that has not been promptly answered; and they have been ready, promptly, to answer any that might be made on them by an order of this house.

#### DEBATE ON THE PRESIDENT'S PROTEST.

SPEECH OF MR. CALHOUN,

In the senate of the United States, May 6th, 1834.

Mr. Calhoun rose and said: In order to have a clear conception of the nature of the controversy, in which the senate finds itself involved with the president, it will be necessary to pass in review the events of the last few months, which have led to it, however familiar they may be to the members of this body.

Their history may be very briefly given. It is well known to all, that the act incorporating the bank of the United States made that institution the fiscal agent of the government; and that, among other provisions, it directed that the public money should be deposited in its vaults. The same act vested the secretary of the treasury with the power of withholding the deposits, and, in the event of withholding them, required him to report his reasons to congress. The late secretary, on the interference of the president, refused to withhold the deposits, on the ground, that satisfactory reasons could not be assigned for the act; for which the president removed him, and appointed the present incumbent in his place, expressly with a view that he should perform the act his predecessor had refused to do. He accordingly removed the deposits, and reported his reasons to congress, and the whole transaction was thus brought up for our approval or disapproval, entirely by the act of the executive, without participation or agency on our part; and we were thus placed in a situation in which we were compelled to express our approbation or disapprobation of the transaction, or to shrink from the performance of an important duty. We could not hesitate. The subject was accordingly taken up, and after months of deliberation, in which the whole transaction was fully investigated and considered, and after the opinions of all sides, the friends, as well as the opponents of the administration, were fully expressed, the senate passed a resolution disapproving the reasons of the secretary. But they were compelled to go farther. That resolution covered only a part of the transaction, and that not the most important. The secretary was but the agent of the president in the transaction. He had been placed in the situation he occupied, expressly with a view of executing the order of the president, who had openly declared that he assumed the responsibility; and his declaration was reiterated here, in the debate, by those who are known to speak his sentiments. To omit, under these circumstances, an expression of the opinion of the senate, in relation to this transaction, viewed as the act of the president, would have been, on the part of the senate, a manifest dereliction of duty.

With this impression, the second resolution was adopted. It was drawn up in the most general terms, and with great care, with the view to avoid an expression of opinion as to the motive of the executive, and to limit the expression simply to the fact, that, in the part he had taken in the transaction, he had assumed powers neither conferred by the constitution or the laws, but in derogation of both. It is this resolution, thus forced upon us, and thus cautiously expressed, which has so deeply offended the president; which has called forth his protest; in which he has undertaken to judge of the powers of the senate; to assign limits in their exercise to which they may, and beyond which they shall not go; to deny their right to pass the resolution, to charge them with usurpation, and the violation of law and of the constitution in adopting it; and finally to interpose between the senate and their constituents, and virtually to pronounce upon the validity of the votes of some of its members, on the ground that they do not conform with the will of their constituents.

This is a brief statement of the controversy, which presents for inquiry the question, what is the real nature of the issue between the parties?—a question of the utmost magnitude, and on the just and full comprehension of which, the wisdom and propriety of our course must mainly depend.

It would be a great mistake to suppose, that the issue involves the question, whether the senate had a right to pass that resolution or not; or what is the nature and character of the resolution; or whether it be correct in point of fact or principle; or whether it was expedient to adopt it? All these are important questions, but they were fully and deliberately considered, and were finally decided by the senate in the adoption of the resolution—finally and irrevocably decided—so that they cannot be opened for reconsideration and decision by the will of the body itself, according to the rules of its proceedings, much less on the demand of the president. No; the question is not, whether we had a right to pass the resolution; it is one of a very different character, and of much greater magnitude. It is, whether the president has a right to question our decision? This is the real question at issue—a question which goes in its consequences to all the powers of the senate, and which involves in its recent decision the fact, whether it is a separate and independent branch of the government, or a mere appendix of the executive department. If the president has indeed the right to

question our opinion—if we are in fact accountable to him—then all he has done has been rightfully done; then he would have the right to send us his protest; then he would have the right to judge of our powers, and to assign limits beyond which we should not pass; then he would have the right to deny our authority to pass the resolution, and to accuse us of usurpation and the violation of law and of the constitution in its adoption. But if he has not the right—if we are not accountable to him—then all that he has done has been wrongfully done, and his whole course, from beginning to end, in relation to this matter, would be an open and palpable violation of the constitutional right and privileges of the senate.

Fortunately, this very important question, which has so direct a bearing on the very existence of the senate as a deliberative body, is susceptible of the most certain and unquestionable solution. Under our system, all who exercise power are bound to show, when questioned, by what authority it is exercised. I deny the right of the president to question the proceedings of the senate—utterly deny it; and I call upon his advocates and supporters on this floor to exhibit his authority; to point out the article, the section, and the clause of the constitution which contains it; to show, in a word, the express grant of the power. None other can fulfil the requirements of the constitution. I proclaim it as a truth, as an unquestionable truth, of the highest import, and heretofore not sufficiently understood, that the president has no right to exercise any implied or constructive power. I speak upon the authority of the constitution itself, which, by an express grant, has vested all the implied and constructive powers in congress, and in congress alone. Hear what the constitution says: Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, [those granted to congress], and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof."

Comment is unnecessary—the result is inevitable. The executive, and I may add no department, can exercise any power without express grant by the constitution or by authority of law—a most noble and wise provision, full of the most important consequences. By it, ours is made, emphatically, a constitutional and legal government, instead of a government controlled by the discretion or caprice of those who are appointed to administer and execute its powers. By it, our government, instead of consisting of three independent, separate, conflicting and hostile departments, has all its powers blended harmoniously into one, without the danger of conflict, and without destroying the separate and independent existence of the parts. Let us pause for a moment to contemplate this admirable provision, and the simple but efficient contrivance by which these happy results are secured.

It has been often said that this provision of the constitution was unnecessary; that it grew out of abundant caution to remove the possibility of a doubt as to the existence of implied or constructive powers; and that they would have existed without it, and to the full extent that they now do. They who consider this provision in this light, as mere surplusage, do great injustice to the wisdom of those who formed the constitution. I shall not deny that implied or constructive powers would have existed, and to the full extent that they now do, without this provision; but had it been omitted, a most important question would have been left open to controversy. Where would they reside? In each department? Would each have had the right to interpret its own power, and to assume, on its own will and responsibility, all the powers necessary to carry into effect those granted to it by the constitution? What would have been the consequence? Who can doubt that a state of perpetual and dangerous conflict between the departments would be the necessary, the inevitable result, and that the strongest would ultimately absorb all the powers of the other departments? Need I designate which is that strongest? Need I prove that the executive, as the armed interpreter, as I said on another occasion, vested with the patronage of the government, would ultimately become the sole expounder of the constitution? It was to avoid this dangerous conflict between the departments, and to provide most effectually against the abuses of discretionary or implied powers, that this provision has vested all the implied powers in congress.

But, it may be asked, are they not liable to abuse in the hands of congress? Will not the same principle of our nature, which impels one department to encroach upon the other, equally impel congress to encroach upon the executive department? Those who framed the constitution clearly foresaw this danger, and have taken measures effectually to guard against it. With this view, the constitution has raised the president, from being a mere executive officer, to a participation in the legislative functions of the government; and has, among other legislative powers, clothed him with that of the veto, mainly with a view to protect his rights against the encroachment of congress. In virtue of this important power, no bill can become a law till submitted for his consideration. If he approve, it becomes a law; but if he disapprove, it is returned to the house in which it originated, and cannot become a law unless passed by two-thirds of both houses; and, in order to guard his powers against the encroachment of congress, through all the avenues by which it can possibly be approached, the constitution expressly provides, "that every order, resolution or vote, to which the concurrence of the senate and house of representatives may be necessary," [none other can pass the limits of their respective

halls], "except on a question of adjournment, shall be presented to the president of the United States, and, before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two thirds of the senate and the house of representatives, according to the rules and limitations prescribed in the case of a bill." These provisions, with the patronage of the executive, give ample protection to the powers of the president, against the encroachment of congress, as experience has abundantly shown.

But here a very important question presents itself, which, when properly considered, throws a flood of light on the question under consideration. Why has the constitution limited the veto power to bills, and to the orders, votes, and resolutions, requiring the concurrence of both houses? Why not also extend it to their separate votes, orders or resolutions? But one answer can be given. The object is to protect the independence of the two houses—to prevent the executive from interfering with their proceedings, or to have any control over them, as is attempted in this protest; on the great principle which lies at the foundation of liberty, and without which it cannot be preserved, that deliberative bodies should be left without extraneous control or influence, free to express their opinions and to conduct their proceedings according to their own sense of propriety. And we find, accordingly, that the constitution has not only limited the veto to the cases requiring the concurring votes of the two houses, but has expressly vested each house with the power of establishing its own rules of proceeding, according to its will and pleasure, without limitation or check. Within these walls, then, the senate is the sole and absolute judge of its own powers; and, in the mode of conducting our business, and in determining how, and when, our opinions ought to be expressed, there is no other standard of right or wrong, to which an appeal can be made, but the constitution, and the rules of proceedings established under the authority of the senate itself. And so solicitous is the constitution to secure to each house a full control over its own proceedings, and the freest and fullest expression of opinion, on all subjects, that even the majesty of the laws are relaxed to ensure a perfect freedom of debate. It is worthy of remark, that the provision of the constitution, which I have cited, in vesting in congress the implied or constructive powers, is so worded as not to comprehend the discretionary powers of the two houses, in determining the rules of their proceedings, which, of course, places them beyond the interference of congress itself.

Let us now cast our eyes back, in order that we may comprehend, at a single glance, the admirable arrangements by which the harmony of the government is secured, without impairing the separate existence and independence of the parts. In order to prevent the conflicts which would have resulted, necessarily, if each department had been left to construe its own powers, all the implied or constructive powers are vested in congress; that congress should not, through its implied powers, encroach upon the executive department, (I omit the judiciary as not belonging to the question), the president is clothed with the veto power; and that his veto should not interfere with the rights of the two houses, to control their respective proceedings, it is limited to bills or votes that require the concurrence of the two houses. It is thus that our walls are interposed to protect the rights which belong to us, as a separate constituent member of the government, from the encroachments of the executive power; and it is thus that the power which is placed in his hands, as a shield to protect him against the implied or constructive powers of congress, is prevented from being converted into a sword to attack the rights which are exclusively vested in the two houses.

Having now established, beyond controversy, that the president has no implied or constructive power—that he has no authority to exercise any right, not expressly granted to him by the constitution, or vested in him by law; and that the constitution has secured to the senate the sole right of regulating its own proceedings, free from all interference; the fabric reared by this paper, and which rests upon the opposite basis, pre-supposing the right to the fullest and boldest assumption of discretionary powers, on the part of the president, falls prostrate in the dust.

With these views it will not be expected that I should waste the time of the senate in examining its contents; but if additional proof were necessary to confirm the truth of my remarks, and to show how strong would have been the tendency to conflict, and how dangerous it would have been to have left the several departments in possession of the right to exercise implied powers at their pleasure, this paper would afford the strongest. In illustration of the correctness of this assertion, I will select two or three of its leading positions, which will show what feeble barriers reason or regard to consistency would be to prevent conflict between the departments, or to protect the legislative from the executive branch of the government, and how regardless the president is of consistency or reason, where the object is the advancement of the powers of his department.

In order to prove that the senate had no right to pass the resolution in question, the president enters into a long disquisition on the nature and character of our government. He tells us, that it consists of three separate and independent departments—the legislative, executive and the judicial. That the first is vested in congress, the second in the president, and the last in the courts, with a few exceptions, which he enumerates. He also informs us, that these departments are coequal, and that neither has the right to coerce or control the other; and

then concludes, that the senate had no right to pass the resolution in question.

It is not my intention to inquire, whether the view of the government, which the president has presented, be or be not correct; but, if it were, it would not be difficult to show, that his conception, that they are coequal, and that neither has a right to coerce or control the other, taken in the ordinary acceptation of these terms, would deprive the senate of all its judicial powers, and much of its legislative. I will assume that his views are correct; and that, as coequal departments, neither has the right to interfere with the other; and what follows? If we have no right to disapprove of his conduct, he surely has none, on his own principle, to disapprove of ours. It would seem impossible, that so obvious and necessary a consequence could be overlooked; yet so blind is ambition in pursuit of power—so regardless of reason or consistency—that the president, while he denies to us the right to interfere with him, or to question his acts, does not hesitate to charge the senate, directly and repeatedly, with usurpation, and a violation of the laws and of the constitution.

The advocates of the president, could not but feel the glaring inconsistency and absurdity of his course; and, in order to reconcile his conduct with the principles that he laid down, asserted, in the discussion, that he sent his protest, not as president of the United States, but in his individual character, as Andrew Jackson. We may assert any thing—that black is white, or that white is black. Every page, every line of his paper, contradicts the assertion. He, throughout, speaks in his official character, as president of the United States, and regards the supposed injury that has been done him, as an injury to him, not in his private, but in his official character. But the explanation only removes the difficulty one step further back. I would ask, what right has the president of the United States to divest himself of his official character, in a question between him and this body, touching his official conduct? Where is his authority to descend from his high station, in order to defend himself, as a mere private individual, in what relates to him in his public character?

But, the part of this paper which is the most characteristic—that which lets us into the real nature and character of this movement—is the source from which the president derives the right to interfere with our proceedings. He does not even pretend to derive it from any power vested in him by the constitution, express or implied. He knew that such an attempt would be utterly hopeless; and accordingly, instead of a question of right, he makes it a question of duty; and thus inverts the order of things; referring his rights to his duties, instead of his duties to his rights, and forgetting that rights always precede duties, and are in fact but the obligations which they impose, and of course that they do not confer power, but impose obedience—obedience, in his case, to the constitution and the laws, in the discharge of his official duties. The opposite view—that on which he acts, and which would give to the president a right to assume whatever duty he might choose, and to convert such duties into powers—would, if admitted, render him as absolute as the autocrat of all the Russias. Taking this erroneous view of his powers, he could be at little loss to justify his conduct. To justify, did I say? he takes higher, far higher ground; he makes his interference a matter of obligation; of solemn obligation; of imperative necessity—the tyrant's plea. He tells us that it was due to his station, to public opinion, to proper self-respect, to the obligation imposed by his constitutional oath, his duty to see the laws faithfully executed, his responsibility as the head of the executive department, and to his obligation to the American people, as their immediate representative, to interpose his authority against the usurpations of the senate. Infatuated man! blinded by ambition—intoxicated by flattery and vanity! Who, that is least acquainted with the human heart—who, that is conversant with the page of history, does not see, under all this, the workings of a dark, lawless and insatiable ambition; which, if not arrested, will finally impel him to his own, or his country's ruin?

It would be a great mistake to suppose that this protest is the termination of his hostility against the senate. It is but the commencement—it is the proclamation in which he makes known his will to the senate, claims their obedience, and admonishes them of their danger, should they refuse to repeal their ordinance—no, not ordinance—their resolution. I am hurried away by the recollection of the events of the last session. The hostilities then and now waged are the same in their nature, character and principle; differing only in their objects and the parties. Then it was directed against a sovereign member of this confederacy—now against the senate. Then the senate was associated with the executive, as its ally—now it is the object of his attack. I repeat; hostilities will be prosecuted against us, unless we repeal our resolutions, to effect which, is the object of sending us this protest; for, disguise it as we will, to receive this protest and to enter it upon our journal would be a virtual repeal; a surrender of our rights, and an acknowledgment of his superiority; and in that light it would be considered by the country and the world; by the present and future generations.

Should we repeal our resolutions by receiving and entering the protest on the journal, we no doubt will be taken into favor, and our past offenses be forgiven; but if not we may expect that the war message, (unless indeed the public indignation should arrest it), will follow in due time, of which the protest contains many indications, not to be misunderstood.

It is impossible for the most careless observer to read this paper without being struck with the extreme solicitude which the president evinces to place himself in a position between the senate and the people. He tells us again and again, with the greatest emphasis, that he is the immediate representative of the American people. He the immediate representative of the American people! I thought the president professed to be a state rights' man, placed at the head of the state rights' party; that he believed that the people of these states were united in a constitutional compact, as forming distinct and sovereign communities; and that no such community or people, as the American people, taken in the aggregate existed. I had supposed that he was the president of the United States, the only title by which he is legally and constitutionally known; and the American people are not represented in a single department of the government; no, not even in the other house, which represents the people of the several states, as distinct from the people in the aggregate, as was solemnly determined at the very commencement of the government, under the immediate authority of Washington himself. Such, I had supposed, was the established political creed of the party at the head of which he professed to be, and yet he claims to be not only the representative, but the immediate representative of the American people.—What effrontery! What boldness of assertion! The immediate representative! Why, he never received a vote from the American people. He was elected by electors, elected either by the people of the states or by their legislatures; and of course is at least as far removed from the people as the members of this body, who are elected by legislatures chosen by the people; and who, if the truth must be told, more fully and perfectly represent the people of these states than the electoral colleges; since the introduction of national conventions, composed of office holders, and aspirants, under whose auspices the presidential candidate of the dominant party is selected, and who, instead of the real voice of the people, utter that of a mercenary corps, with interests directly hostile to theirs.

But why all this solicitude on the part of the president to place himself near to the people, and to push us off to the greatest distance? Why this solicitude to make himself their sole representative, their only guardian and protector, their only friend and supporter? The object cannot be mistaken. It is preparatory to farther hostilities—to an appeal to the people; and is intended to prepare the way in order to transmit to them his declaration of war against the senate, with a view to enlist them as his allies in the war, which he contemplates waging against this branch of the government. If any one doubts his intention, let him cast his eyes over the contents of this paper, and mark with what anxiety he seeks to place himself in an attitude hostile to the senate; how he has converted a simple expression of opinion into an accusation—a charge of guilt—a denunciation of his conduct—an impeachment, in which he represents himself as having been tried and condemned without hearing or investigation. The president is an old tactician, and understands well the advantage of carrying on a defensive war with offensive operations, in which the assailed assaunts the assailant; and his object is to gain a position so commanding, in the prosecution of hostilities which he meditates.

Having secured this important position, as he supposed, he next endeavors to excite the sympathy of the people, whom he seeks to make his allies in the contest. He tells them of his wounds—wounds received in the war of the revolution—of his patriotism; of his disinterestedness; of his freedom from avarice or ambition; of his advanced age, and finally, of his religion; of his indifference to the affairs of this life, and of his solicitude about that which is to come. Can we mistake the object? Who does not see what is intended? Let us bring under a single glance the facts of the case. He first seized upon the public money, took it from the custody of the law, and placed it in his own possession, as much so as if placed in his own pocket. The senate disapproves of the act, and opposes the only obstacle, that prevents him from becoming completely master of the public treasury. To crush the resistance which they interpose to his will, he seeks a quarrel with them; and, with that view, seizes on the resolution in question as the pretext. He sends us a protest against it, in which he resorts to every art to enlist the feelings of the people on his side, preparatory to a direct appeal to them, with a view to engage them as allies in the war, which he intends to carry on against the senate, till they submit to his authority. He has proclaimed in advance, that the right to interfere, involves the right to make that interference *effectual*. To make it so, force only is wanting. Give him an adequate force, and a speedy termination would be put to the controversy.

Since, then, hostilities are intended, it is time that we should deliberate how we ought to act; how the assaults upon our constitutional rights and privileges ought to be met. If we consult, what is due to the wisdom and dignity of the senate, there is but one mode: meet it at the threshold. Encroachments are most easily resisted at the commencement. It is at the extreme point—on the frontier—that, in a contest of this description, the assailant is the weakest, and the assailed the strongest. It is there that the purpose of the usurper is the most feeble, and the indignation of those whose rights are encroached upon, the strongest. Permit the frontier of our rights to be passed, and let the question be, not resistance to usurpation, but at what point we shall resist, and the conquest will be more than half achieved. I, at least, said Mr. Calhoun, will act on these principles. I shall take my stand at the door of the senate,

if I should stand there alone. I deny the right of the president to send us his protest. I deny his right to question, within this chamber, our opinions, in any case, or in reference to any subject whatever. He has no right to enter here in hostile array. These walls separate us. Beyond this, he has his veto to protect his rights against aggressions from us; but within, our authority is above his interference or control.

Entertaining these views, I, for one, cannot agree to receive the protest. But it is said, that the senate never has yet refused to receive a message from the president. In reply, I answer, that it has never yet agreed to receive a protest from him; and I, at least, shall not contribute by my vote to establish the first precedent of the kind. With these impressions, although I agree to the resolutions offered by the senator from Mississippi (Mr. *Poindeexter*) as modified, a sense of duty will compel me to go farther, and to add, at the proper time, two additional resolutions; one affirming that the president has no right to protest against our proceedings, and the other refusing to receive this, his protest.

I have now said all that I intend in reference to the question at issue between the senate and the president; and will conclude by a few remarks addressed more directly to the senate itself.

Of all the surprising events, said Mr. C. in these surprising times, none has astonished me more, than that there should be any division of opinion, even the slightest, as to the right of the senate to pass the resolution which has been seized on as the pretext to send us this protest. Before the commencement of the discussion, I would not have believed, that there was a single individual, in our country, the least conversant with parliamentary proceedings, who entertained any doubt of the right of any free and deliberative body, fully and freely to discuss and express their opinion on all subjects relating to the public interests, whether in reference to men or measures; or whether in approbation or disapprobation. I venture the assertion, that such a right has never been questioned before in this country; either here or in the state legislatures, or in Great Britain, for the last century, by any party, whig or tory. Nor is my astonishment diminished by the distinction, which has been attempted to be taken, between the expression of an opinion in reference to the conduct of public officers, intended to terminate in some legislative act, and those not so intended—a distinction without example or precedent, and without principle and reason. Nor am I less surprised, that it should be gravely asserted, as it has been in debate, that the resolution in question was not intended to terminate in some ulterior legislative measure. How this impression was made, or could be ventured to be expressed, I am at a loss to conceive, as it was openly avowed, and fully understood, that we only waited for the proper moment to carry the resolution into effect, by giving it the form of a joint act of both houses. Nor is the attempt to limit our legislative functions by our judicial, in reference to the resolutions, less extraordinary. I had supposed, that our judicial were in addition to our legislative functions, and not in diminution; and that we possess to the full extent, without limitation or subtraction, all the legislative powers possessed by the house of representatives, with a single exception, as provided in the constitution. Were it possible to raise a rational doubt on the subject, the example of the English parliament would clearly prove, that our judicial functions impose no restrictions on our legislative. It is well known that the house of lords, like the senate, possess the power of trying impeachments, and I venture to assert, that, in the long course of time in which it has exercised this power, not a single case can be pointed out, in which it was supposed that its judicial functions were diminished in any degree by its legislative; and when we reflect, that this portion of our constitution is borrowed from the British, their example must be considered as decisive, as to the point under consideration.

But let us reflect a moment to what extent we must necessarily be carried, if we once admit the principle. If the senate has no right, in consequence of their judicial functions, to express an opinion by vote or resolution, in reference to the legality or illegality of the acts of public functionaries, they have no right to express such opinion individually in debate; as the objection, if it exists at all, goes to the expression of an opinion by individuals as well as by the body. He who has made up an opinion and avowed it in debate, would be as much disqualified to perform his judicial functions, as a judge on a trial of impeachment, as if he had expressed it by a vote; and of course, whatever restrictions the judicial functions of the senate may be supposed to impose, would be restrictions on the liberty of discussion, as well as that of voting; and consequently destroy the freedom of debate secured to us by the constitution.

I am, indeed, (said Mr. *Calhoun*) amazed, that so great a misconception of the essential powers of a deliberative body should be formed, as to deny to a legislative assembly the right to express its opinions on all subjects of a public nature, freely, fully, and without restriction or limitation. It inherently belongs to the law-making power—the power to make, repeal and to modify the laws; to deliberate on the state of the union; to ascertain its actual condition—the causes of existing disorders; to determine whether they originated in the laws, or in their execution, and to devise the proper remedy. What sort of a legislative body would it be, that had no right to pronounce an opinion, whether a law was or was not in conformity to the constitution; and whether it had or had not been violated by those appointed to administer the laws? What could be imagined more absurd? and yet, if the principle contended for be

correct, such would be the character of the senate. We would have no right to pronounce a law unconstitutional, or to assert that it had been violated, lest it should disqualify us from performing our judicial functions.

There seems to be (said Mr. C.) a great misconception in reference to the real motive and character of the legislative and executive functions. The former is in its nature deliberative, and involves, necessarily, free discussion, and a full expression of opinion on all subjects of public interest. The latter is essentially the power of executing, and has no power of deliberation beyond ascertaining the meaning of the law, and carrying its enactments into execution; and even within this limited sphere its constructions of its powers are formed under responsibility, not only to public opinion, but also to the legislative department of the government.

But wherever the executive is vested with any portion of legislative functions, so essentially do those functions involve the right of deliberation, and a full and free expression of opinion, that they transfer with them, to the executive, the right of freely expressing his opinions on all subjects connected with such functions. Thus the president of the United States, who is vested by the constitution with the right of communicating to congress information on the state of the union; of recommending to its consideration such measures as, in his opinion, the public interest may require; to approve of its acts; and to ratify treaties, which have received the consent of the senate; has, in the performance of all these high legislative functions, a right to express his opinion as to the nature and character and constitutionality of all the measures, in the consideration of which may be involved the performance of these duties—a right which the present chief magistrate has, on all occasions, freely exercised, as we have witnessed this session, both in his annual message, and the one announcing his veto on the land bill. In the former, he pronounced the United States bank to be unconstitutional, and has, of course, according to his own principle, impeached the conduct of Washington and Madison, (the former of whom signed the charter of the first bank, and the latter of the present) and all of the members of both houses of congress who voted for the acts incorporating them.

I am mortified (said Mr. *Calhoun*) that in this country, boasting of its Anglo-Saxon descent, that any one of respectable standing, much less the president of the United States, should be found to entertain principles leading to such monstrous results; and I can scarcely believe myself to be breathing the air of our country, and to be within the walls of the senate chamber, when I hear such doctrines vindicated. It is proof of the wonderful degeneracy of the times—a of a total loss of the true conceptions of constitutional liberty. But, in the midst of this degeneracy, I perceive the symptoms of regeneration. It is not my wish to touch on the party designations that have recently obtained, and which have been introduced in the debate on this occasion. I, however, cannot but remark, that the revival of the party names of the revolution, after they had so long slumbered, is not without a meaning—not without an indication of a return to those principles which lie at the foundation of our liberty.

Gentlemen ought to reflect that the extensive and sudden revival of these names could not be without some adequate cause. Names are not to be taken or given at pleasure; there must be something to cause their application to adhere. If I remember rightly, it was Augustus, in all the plenitude of his power, who said that he found it impossible to introduce a new word. What, then, is that something? What is there in the meaning of whig and tory, and what in the character of the times, which has caused their sudden revival, as party designations, at this time? I take it, that the very essence of torism—that which constitutes a tory, is to sustain prerogative against privilege—to support the executive against the legislative department of the government, and to lean to the side of power, against the side of liberty; while the whig is, in all these particulars, of the very opposite principles. These are the leading characteristics of the respective parties, whig and tory, and run through their application in all the variety of circumstances in which they have been applied, either in this country or Great Britain. Their sudden revival and application at this time ought to admonish my old friends, who are now on the side of the administration, that there is something in the times—something in the existing struggle between the parties, and in the principles and doctrines advocated by those in power—which has caused so sudden a revival, and such extensive application of the terms. I have not contributed to their introduction, nor am I desirous of seeing them applied; but I must say to those who are interested, that they should not be; that nothing but their reversing their course can possibly prevent their application. They owe it to themselves—they owe it to the chief magistrate, whom they support (who, at least is venerable for his years), and to the head of the party—that they should halt in their support of the despotic and slavish doctrines which we hear daily advanced, before a return of the reviving spirit of liberty shall overwhelm them, and those who are leading them to their ruin.

I can speak (said Mr. *Calhoun*) with impartiality. As far as I am concerned, I wish no change of party designations. I am content with that which designates those with whom I act. It is, I admit, not very popular, but is at least no honest and patriotic name. It is synonymous to resistance to usurpation—usurpation, come from what quarter, and under what shape it may; whether it be that from this government on the rights of the states, or the executive on the legislative department.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The 30th June has been fixed on, in the house of representatives, as the day of closing the present session of congress. It is not easy to believe that the business to be disposed of will permit so early an adjournment. See the journal of proceedings.

With considerable labor, we had prepared many editorial articles, and condensed views of several things, for this number, which must be postponed, if not altogether thrown aside—(such is one of the “miserics” of editors) on account of the great length of the reports of the committee concerning the bank of the United States. We shall add *all* the documents, and so present them, by the aid of a supplement, that our friends may have the whole together for convenient use, while thus also obtaining a little more space for current matters.

Because of this pressure for room, we cannot offer any comments on these reports, however much they invite them; but they surely deserve, and will receive, a careful perusal. There are some facts connected with the publication of the report of the majority of the committee, that, in common times, would have seemed very extraordinary; the editor of the “Globe” being furnished with a copy of it nearly two days before the printers to the house of representatives were supplied with one, though the house had ordered that it should be printed; and thus that report, being published on a *Saturday*, had two days start of that of the minority, presented on the same day and immediately afterwards—the *effect* of which seems to have been calculated. The circumstances belonging to this proceeding must be recorded, or they will be flatly denied, a few years hence, as having *possibly* happened.

The vote of the senate concerning the pension money is very decisive—26 to 17, does not look as if such a majority should be called “factious.” Had the senate been full, the vote would, probably, have stood 31 to 17. The new attorney-general has been unlucky in his first essay.

*Roberts Vaux* was, on Monday last, approved by the senate as a director of the bank of the United States, and the nomination of *Henry Horn*, for the same office, rejected. So the senate has confirmed four out of the five nominations of the president.

The nomination of *Mahlon Dickerson*, as minister to Russia, has been approved, as every body expected that it would be, if thought necessary to send one to St. Petersburg; but that of *Andrew Stevenson*, present speaker of the house of representatives, it is believed will not be confirmed.

The senate has rejected the nomination of *Martin Gordon*, as collector at New Orleans.

It will be seen that Mr. *Robbins*, of Rhode Island, has been confirmed in his seat in the senate by a large majority—though yet less than we had expected, considering the real merits of the case and the late sanction of the law of the state under the affected unconstitutionality of which his election was questioned.

Mr. *Forsyth's* speech, in reply to Mr. *Calhoun*, intended for this number, though nearly all in type, is, of necessity, postponed. We have to do with the speeches “as well as we can”—some we make abstracts of, and others, that should be inserted entire, are indefinitely “laid on the table;” and thus many good things are lost, so far as it regards *our* publication and preservation of them.

There was an animated debate on the proposition to print a large number of copies of the reports from the committee appointed to investigate the affairs of the bank of the United States—for some wished that the report of

the majority should be printed, without that of the minority being attached, &c. But they were shamed out of this—and the two reports, with their respective documents, are to be published together. The number ordered is 30,000.

The quantity of specie entered at the custom house in New York from foreign places, between the 25th of March and 15th of May, a period of seven weeks, was, of gold, \$83,228; silver, \$2,864,339—total, \$2,947,567. The period commences after some of the large importations were made, and there have been constantly large receipts from New Orleans. It is supposed that the amount of specie received at that port since the 1st of January, could not be less than \$6,000,000.

We give the preceding as we meet with it in the newspapers. Admit its truth—even make it appear that one-fourth more had been added to the specie capital of the United States, in the last five months—and what is the effect of it? Instead of an increased circulation of values, as such an importation would have produced in ordinary times, the circulation has been daily more and more contracted—and facilities to make payments are daily diminished! There is a lesson in this that dabblers in the currency of a country ought to consider—and fools may learn from it the *easiness* of a transition to a metallic currency!!! Mexico, with a *reported* capital of 480 millions in bullion and coin,\* and with less than two-thirds of our population, is miserably poor—the best evidences of her public debt being 40 or 50 per cent. under par; but we, with about 25 millions in specie, had a plentiful supply of “money;” and such evidences of our debt were from 15 to 20 per cent. above par, if sold for gold or silver! There is much matter for reflection in these things, and their operation will become manifest to every one that is *capable* and *willing* to form an opinion for himself, on the present state of affairs in the United States, as affected by the war against the bank. And all the specie spoken of, the bank has, or might have, gathered into its vaults, as it came in! It is clear that public *relief* has not been afforded by the importations of specie, if in the whole ten millions, in the five last months—nor would a supply of an *hundred* millions, (had we the means to purchase it) stand against the loss of *confidence* that we have sustained, and the loss of *employment* and of *production* suffered, in this unnecessary war of the president against the currency and credit of the country, and the prosperity of the people.

The “New York Courier & Enquirer” has a letter from Washington dated May 11, which, after speaking of the loud cry that had been made against the bank, because of the worthlessness of its western debts, says—

“To guard against the cry in future, the bank has been industriously, but quietly, engaged in transferring its western debts to the sea-board, and the consequence is, that while there are very few draughts falling due at the western branches during the present spring and summer—upwards of eleven millions of dollars of their western debt has been accepted by the eastern merchants and fall due in the cities of Baltimore, Philadelphia, New York and Boston, within the next sixty days. Of this sum, upwards of five millions fall due and are payable at the branch in the city of New York. Of course these draughts must be paid at maturity, and, as it is not the intention of the bank to extend its discounts, it follows that this amount of capital must be withdrawn from circulation. Up to this period the bank has curtailed but a very trifling amount, and the stock-jobbing cabal in this city, foreseeing the effects upon the money market of the payment of these western draught, are preparing to add to your difficulties by preying upon the very wants and distresses of the community which they themselves have produced.

The eleven millions spoken of *cannot* be paid in the ensuing sixty days, unless through the liberal aid of the bank. There is “no mistake” about that. But if paid,

\*We do not believe this—though it is so stated, in the newspapers, as a matter of “fact!” The amount, however, must be a large one, and several times greater than that of the coin in the United States.

will drain the local banks of every surplus dollar, and may forbid payments even in pursuance of appropriations made by congress!—for the eleven millions must be paid in specie, or its equivalent. There is no other way by which this heavy demand can be satisfied. We hope, however, that the amount is not correctly stated. It is well known that the bank has been gathering its means—but we cannot believe that so rapid an accumulation of them is designed, or is in correspondence with the interests of the bank.

John B. Morris and R. W. Gill, esquires, trustees for the benefit of the creditors of the bank of Maryland, have made a report concerning the affairs of that institution, which Thomas Ellicott, esq. the other trustee, declined to unite in. We cannot insert this report in the present sheet, but it shall be preserved, as well for instruction, as on account of the *extraordinaries* which it exhibits. The result seems to be this—that the supposed available means of the bank are \$1,001,661—with doubtful (we think this word should have been *desperate*), and disputed claims in its favor amounting to \$683,569 more; whereas the circulation, certificates and other claims against the bank, amount to \$1,683,218—and of which we do not believe that 50 cents in the dollar can be paid. But we shall insert the report at length—that every one may judge for himself.

The London Mercantile Journal states that money has become so abundant, that discounts in some cases have been obtained at the extremely low rate of one and a half per cent. per annum. The current rate, however, is two and two and a half per cent. and considerable sensation has been excited by an offer of the bank of England, to lend money for a month at the rate of three per cent. The editor of the Journal remarks that "it is surprising that in such a money market there should not be sagacity enough to buy up American Stocks, which are as secure as any in the world, and yield an interest of five and six per cent. and upwards. [What! corrupt our people, by loaning them money? *Perish credit!*]

Mr. Ritchie is "sorry," very sorry, indeed, that Messrs. *Grundy* and *Benton*, of the senate, voted for the large appropriation for the Cumberland road—and has bespoken a *veto* against the final passage of the bill. We regard this as the very essence of "democracy"—that the will of the representatives of the people and of the states, is—"just nothing at all," if opposed to that of the president and Mr. Ritchie. But it is possible that this bill may not pass the house, unless Mr. *Clay's* land bill shall pass it. Some think that they link together.

Many cases of cholera are occurring in the west and south-west, and especially in the steamboats on the rivers. Cases have happened on board of the passenger vessels arrived at Quebec.

We regret to see that many emigrants are arriving from Europe—836 reached New York in one day, last week. We are already much over-stocked with laborers, and these must interfere with those that we had seeking employment. Large numbers are also pouring into Canada.

The U. S. frigate *Potomac*, capt. Downes, arrived at Boston on the 23d inst. The Mercantile Journal says—

The officers and crew, generally speaking, are in good health; more especially so, when it is considered that the ship has just completed a voyage, longer and more arduous than had previously been performed by any frigate in our navy.

The *Potomac* having circumnavigated the globe, and crossed and recrossed the equator six times, she has encountered dangers of navigation unknown in ordinary voyages. The men have been exposed to disease and pestilence in the most insalubrious regions of the earth; and shared, besides the risks of war, in the assault and capture of the Malay forts. Yet the ship has been safely navigated throughout, no casualty of any moment having occurred during the cruise; and the degree of mortality has been even less than usual on board vessels of war, only twenty-seven having died, (including those killed in battle at Quallah Battoo), out of about 500 souls on board.

The U. S. sloop *Peacock*, arrived at New York on the 25th inst. after a long cruise—last from Rio Janeiro—capt. Gelsinger and his officers and crew, "all well."

The result of the late elections in Virginia, is best shewn in the following—

"The Richmond Compiler makes out a tabular statement of the manner in which each senatorial district in that state voted at the recent election. The senators, it is known, were not then all elected—but as the Virginia doctrine requires that the representative shall vote according to the wishes of his constituents, it would seem that the senate will have to consider itself instructed to vote against general Jackson. The Compiler says: We have endeavored to make out an accurate statement, and the result to which we have come is, that if the senators represent, as they are bound to do, the wishes of their constituents, we shall have a majority of *three-fourths against the administration!*—that is 24 whig votes and 8 Jackson."

The political excitement in western Virginia is said to be without precedent.

The general state of things in Mexico and South America is very uncomfortable. Revolution is still the "order of the day," and nothing seems settled.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

### SENATE.

May 25. The *chair* communicated a report from the department of state on the subject of the patent office.

Mr. *Clay* presented a memorial from Huntingdon county, Pa. remonstrating against the removal of the deposits—read, &c.: after some strong and appropriate remarks by Mr. C.

Mr. *Henricks* presented five memorials from Indiana, all remonstrating against the measures of the executive in regard to the bank of the United States.

Mr. H. said that these memorials were numerously signed by all political parties, and by men of every pursuit and occupation in life. That they came from parts of the state where the friends of the present chief magistrate were numerous and the party strong; but that in these instances all other considerations had been buried in oblivion, and this subject taken up because the people felt what they said; that these memorials were not to be viewed as party productions, but as the expressions of the opinions of an honest, intelligent people, truly representing the condition of their country, the causes which had produced it, and the remedy, in their opinion, proper to be adopted.

The population inhabiting the counties from which these memorials came was a mixed one, grouped together from almost every quarter of the world, chiefly, however, from Kentucky, Ohio, Pennsylvania, New York, New England, and from the Swiss cantons in Europe. Their pursuits were mainly agricultural; that they were the exporters as well as the growers of their produce: their market was New Orleans; they had as little direct interest in the bank of the United States as any people in the union; but in the prosperity of the bank of the United States, they had a deep interest—for having no state banks as yet in operation, the paper of that bank had largely entered into the circulating medium of that section of the country.

The people think that past experience demonstrates the convenience and necessity of a paper circulating medium, convertible into specie, to supply the want of sufficient metallic currency. They believe that a sufficient quantity of gold and silver does not exist to form a circulating medium, and that a sudden change, or attempt at change, could not fail to prostrate the best interests of the country. They believe that the country cannot get along without a national bank; that, without such an institution, the currency cannot have either soundness or stability, nor can the exchanges of the country be equalized or regulated. And in these opinions Mr. H. entirely concurred.

Mr. H. was no advocate for the present bank; would prefer a new bank located in Washington. This location he conceived would remove the constitutional objection; and he would be for a bank of less capital.

Mr. H. said no one regretted the removal of the deposits more than himself. It was an unfortunate measure for the country. He did not doubt the power or motive of removal; but he regretted the measure as deleterious and injudicious. He had said by his vote, that the reasons of the secretary were unsatisfactory and insufficient.

Mr. *Benton* said he had no doubt but the memorialists fully believed in all the distresses which they mentioned; but their petitions only recited what had been alleged on this floor for the last four or five months; and the reason why petitions were so late in coming from that distance, must be because the petitioners were so far off from the source of alarm.

Mr. *Henricks* repelled the idea, that the memorials which he had just presented to the senate, had been produced in any degree by the panic which pervades the country, or that they had been gotten up for political effect. The memorialists were neither panic makers, nor more liable to alarm from a distance than the people from any other portions of the union.

The senate then, in succession, took up thirteen bills for the relief of private individuals, which were severally read the third time and passed.

The special order of the day was resumed, being the report of the committee on the judiciary on the pension books; and Mr. *Kane* concluded his remarks, and was followed by Mr. *Bibb*, Mr. *Wright* and Mr. *Clayton*.

The question was then taken on agreeing to the following resolution, (moved by way of amendment to the original report), as follows:

Resolved, That the department of war is not warranted in appointing pension agents in any state or territory, where the bank

of the United States, or one of its branches, has been established; except when specially authorised by act of congress.

And decided as follows:

**YEAS**—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Forsyth, Frelinghuysen, Kent, King, of Georgia, Leigh, Mangum, Naudain, Poindexter, Porter, Preston, Robbins, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Waggaman, Webster—28.

**NAYS**—Messrs. Benton, Brown, Grundy, Hill, Kane, King, of Alabama, Linn, McKean, Morris, Robinson, Tallmadge, Tipton, White, Wilkins, Wright—15.

So this resolution was agreed to.

The question was then taken upon agreeing to the following resolution:

*Resolved*, That the act of congress "for the relief of certain officers and soldiers of the revolution," passed on the 15th of May, 1828, and the act supplementary to that act, passed on the 7th June, 1833, are properly acts providing for the payment of military pensions.

And decided as follows:

**YEAS**—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, King, of Georgia, Leigh, Mangum, Naudain, Poindexter, Porter, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Waggaman, Webster—26.

**NAYS**—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Linn, McKean, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—17.\*

So the resolution was agreed to.

The question was then taken upon agreeing to the following resolution:

*Resolved*, That no power is conferred by any law upon the department or secretary of war, to remove the agency for the payment of pensioners under the said act of the 7th June, 1833, and the funds, books and papers, connected with that agency, from the bank of the United States, and to appoint other agents to supersede that bank in the payment of such pensioners.

And decided in the affirmative without a division. After which the senate adjourned.

*May 27.* Mr. Ewing presented the memorial of 1,063 voters of Washington county, Ohio, opposed to the removal of the deposits. &c. read, referred, &c.

Mr. Webster presented the memorial of sundry inhabitants of the city of Boston, praying congress to take into consideration the propriety of aiding, by duties received from commerce, common schools in the maritime cities, for the instruction of mariners in common knowledge.

Mr. Webster prefaced the introduction of this memorial with some very pertinent remarks, showing the necessity of extending the means of instruction to this meritorious and gallant portion of the nation's strength.

Mr. Preston submitted the following resolution:

*Resolved*, That the secretary of war report to the senate a statement shewing the names of the several pensioners who are now, or may have been heretofore, placed on the pension rolls, designating their rank, annual allowance, the sums which they have severally received, the laws under which their pensions have been granted, the date when placed upon the roll, their ages, and the states and counties in which they severally resided; also the names of the pension agents who have received compensation as such, and the amount of such compensation, and the act under which it was allowed, the names of the clerks who are and who have been employed in the pension office, and the sums paid them as compensation, with an aggregate statement of the whole sums disbursed on account of pensions.

Mr. Tomlinson reported a bill to amend the act entitled "an act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution; which was twice read and ordered to a third reading.

Mr. Poindexter moved a resolution calling for certain reports made by agents appointed to examine into the condition of the land offices, &c. which lies one day.

Mr. Clay gave notice that he should, on to-morrow, ask leave to introduce a *joint resolution*, the object of which would be to reassert what had been already declared by resolutions of the senate, that the reasons assigned by the secretary of the treasury to congress for the removal of the public deposits, are insufficient and unsatisfactory; and to provide that, from and after the 1st day of July next, all deposits which may accrue from the public revenue subsequent to that period, shall be placed in the bank of the United States and its branches, pursuant to the 16th section of the act to incorporate the subscribers to the United States bank.

The senate then proceeded to the consideration of the report of the select committee in the case of the contested election of a senator from Rhode Island.

The reports of the majority and minority having been read—

Mr. Poindexter expressed a hope that the question would be immediately taken, and without debate, on the following resolution submitted by the majority of the committee, to wit:

"That *Asher Robbins* is duly and constitutionally elected a senator of the United States, to represent the state of Rhode Island, for six years from the 4th of March last."

\*[Absent on the votes on the above resolutions. Messrs. Knight, of Rhode Island, Prentiss, of Vermont, Tyler, of Virginia, Hendricks, of Indiana, Moore, of Alabama.]

Mr. Wright asked for the yeas and nays, and they were ordered.

The question being then taken by yeas and nays was decided as follows:

**YEAS**—Messrs. Bell, Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, Leigh, McKean, Mangum, Naudain, Poindexter, Porter, Preston, Silsbee, Smith, Southard, Sprague, Swift, Tipton, Tomlinson, Waggaman, Webster—27.

**NAYS**—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, Morris, Robinson, Shepley, Tallmadge, White, Wilkins, Wright—16.

The senate then proceeded to the next special order, being the resolutions offered by Mr. Bibb, amendatory of the constitution, on the subject of the election of president and vice president.

Mr. Bibb rose, and was about to address the senate in support of his resolutions, but gave way to allow a motion for adjournment to be made; when, on motion of Mr. Mangum, the senate adjourned.

*May 28.* Mr. Chambers presented a memorial from a number of the citizens and voters of the second election district of Frederick county, Maryland, remonstrating against the removal of the deposits, &c. accompanying the same with appropriate remarks: read and referred, &c.

Mr. Webster, from the committee on finance, reported a bill to repeal certain provisions of "an act to alter and amend the several acts imposing duties on imports, approved the 14th July, 1832.

[This bill restores the provisions in the 10th and 12th articles of the 2d section of the act of 14th July, 1832, as it relates to hardware, and manufactures of copper and brass; which were, by a subsequent act, i. e. of 2d March, 1833, suspended until the 1st of June, 1834.]

Mr. Clay rose and said, that as the morning business seemed to have been gone through, he should move the senate for leave to introduce two joint resolutions. He had given notice of one resolution, but, on reflection, he had thought it best to prepare separate resolutions, which, as they were short, he would read in his place:

*Resolved*, by the senate and the house of representatives of the United States of America, in congress assembled, that the reasons, communicated by the secretary of the treasury in his report to congress of the 4th of December, 1833, for the removal of the deposits of the money of the United States, from the bank of the United States, and its branches, are insufficient and unsatisfactory:

*Resolved*, therefore, That all deposits of the money of the United States which may accrue or be received on and after the 1st day of July, 1834, shall be made with the bank of the U. States and its branches, in conformity with the provisions of the act, entitled "an act to incorporate the subscribers to the bank of the United States," approved the 10th April, 1816.

Mr. Clay said the first resolution merely reaffirmed the one which the senate had already passed. That resolution was a separate one, and was not intended for the action of the other house; but only to constitute the basis of further legislation, should any be found necessary to produce the effect which, in his humble opinion, it ought long since to have produced, the restoration of the public deposits to the vaults of the bank of the United States. The present was a joint resolution. To the former it had been objected on this floor, and also in the country, and as he believed by the president of the United States in his protest, that it was a mere abstract proposition which would not necessarily lead to any particular legislation. He thought there was nothing at all in that objection, but to prevent any person from being misled, he had submitted the first of these resolutions.

The second resolution contemplates the deposit of all the public money accruing after the 1st July in the bank of the U. States.

Whatever might be the fate of these resolutions at the other end of the capitol, or in another building, that consideration should have no influence on this body. The senate owed it to its own character, and to the country, to proceed in the discharge of its duties, leaving it to others to perform their own obligations to the country, according to their own convictions of duty and responsibility.

He hoped the resolutions would be acted on and suffered to receive the decision of the senate without unnecessary or protracted debate.

Mr. Benton opposed the motion of leave to introduce these resolutions, and moved that the question be postponed until this day week.

Mr. Clay opposed the postponement.

Mr. Benton called for the yeas and nays, which were ordered, and the question being taken, was decided as follows:

**YEAS**—Messrs. Benton, Black, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Morris, Robinson, Shepley, Tipton, White, Wilkins, Wright—18.

**NAYS**—Messrs. Bell, Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Hendricks, Kent, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Waggaman, Webster—25.

The resolutions were then read and ordered to a second reading.

On motion of Mr. Webster, the senate then proceeded to the consideration of executive business. After remaining for some time with closed doors, the senate adjourned.

May 29. The senate was occupied this day in discussing a resolution offered by Mr. Preston concerning revolutionary pensioners—the number of which at a period so distant, has excited much attention, for some time past. The resolution, at half past three o'clock, was laid on the table that the senate might proceed to the consideration of executive business, and after being some time engaged therein, the senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Monday, May 26. The consideration of the memorial presented by Mr. Wise, on the 13th instant, with the resolutions, &c. moved by him, which were the special order of the day, was, owing to his absence, postponed till Monday next.

The memorial from the inhabitants of York county, Pennsylvania, for the restoration of the public money to the bank of the United States, and for the recharter of the bank of the United States, coming up as the unfinished business—

Mr. Barnitz moved that the said memorial be referred to the committee of ways and means with instructions to report.

"That the removal of the deposits of the moneys of the United States, made prior to the 1st of October last, was not authorized by law.

"That the reasons assigned by the secretary of the treasury for removing and withholding the deposits from the United States bank are insufficient. That a bill be reported to recharter the United States bank, with such limitations and modifications regarding the capital stock and the powers and duties of the directors as the committee deem expedient."

In support of the resolution, Mr. B. entered into an argument embracing views of the policy of the government in relation to the custody and legal disposition of the revenue, the powers of congress, and the rights, duties, and obligations of the bank; and not having concluded his remarks, the further consideration was postponed until Monday next—ayes 79, noes 42.

The petition and resolutions from the inhabitants of Norfolk, Virginia, praying the restoration of the public deposits to the bank of the United States, and instructing the representative from that district to give his aid therein, coming up,

Mr. Loyall, after stating that he yielded full assent to the doctrine that every representative was bound to conform to the wishes of his constituents, gave his reasons why he should refuse assent to the request contained in these resolutions. After which, on his motion, the petition was ordered to be printed and laid on the table.

The petition from the inhabitants of Washington and Athens county, Ohio, heretofore presented, being next in order—

Mr. Vinton, in order to enable him to give his views on the distressed state to which the country of the memorialists were reduced, in consequence of the measures of the executive, moved a resolution referring the memorial to the committee of the whole, to which had been referred the bill regulating the deposits of the public money in the state banks, with instructions to strike all of the said bill out from the enacting clause, and insert in lieu thereof, a bill directing the deposits to be hereafter made in the United States bank and for the renewal of the charter of said bank, &c.

Mr. V. having addressed the house at length, withdrew his resolution, whereupon the memorial was referred, &c.

Memorials, proceedings of meetings, &c. unfavorable to the removal of the deposits were presented, by Mr. Bell, from 1,500 inhabitants of Belmont county, Ohio; by Mr. Evans, from a meeting of the citizens of the town of Hallowell, Maine; by Mr. Grenell, from 1,200 citizens of Franklin county, Massachusetts; by Mr. Young, two memorials from Windham county, Connecticut; by Mr. Watmough, from Montgomery county, Pennsylvania; which were severally read, referred, &c.

The memorial of Jones county, Mississippi, sustaining the course of the administration in its recent measure against the bank, coming up—

Mr. Plummer addressed the house in vindication of the president—and concluded by moving that the memorial be read, referred, &c.

Mr. Miller moved that 30,000 extra copies of the reports of the bank committee be printed; Mr. Heister proposed 15,000; Mr. King 10,000; Mr. Gillett 25,000.

Mr. Briggs moved to amend the motion so as to require the two reports to be attached to each other. Mr. Miller having no objection,

The motion was, after some conversation, laid on the table till to-morrow.

On motion of Mr. Burd, an inquiry was instituted as to the expediency of causing a survey and examination of the route between Cumberland, Maryland, and Newry or Hallidaysburgh, Pennsylvania, with a view to connect the Chesapeake and Ohio canal and the Pennsylvania canal, by a turnpike or railroad. The house then adjourned.

Tuesday, May 27. Several bills and reports of a private or local character were reported and disposed of.

Mr. Bell reported the agreement of the judiciary committee to the amendment of the senate to the bill entitled "an act to revive and amend an act for the relief of certain insolvent debtors of the United States," passed on the 2d March, 1831, and "an act in addition thereto," passed on the 14th day of July, 1832; which amendment was read, and concurred in by the house.

Mr. Bell also reported, without amendment, the bill from the senate entitled "an act in addition to the act more effectually to provide for the punishment of certain crimes against the United States;" the further consideration of which was postponed until to-morrow.

After an unsuccessful attempt to call up the bill increasing the pay in the naval service—

Mr. Miller asked the unanimous consent of the house to take up the motion submitted by him yesterday, for the printing of 30,000 extra copies of the bank committee's reports; and objections being made, the house suspended the rule, and finally 30,000 extra copies were ordered to be printed, attached to each other.

Mr. Wise reported a bill to erect a marble column at Yorktown, Va.

The house then took up the coin bill, fixing the value of certain coins.

Mr. Gorham moved to recommit the bill, with instructions, making the dollars of South America, a lawful tender by tale, under certain conditions.

After a desultory debate—

Mr. Boon moved the previous question, which the house refused to second—ayes 73, noes 80.

On motion of Mr. Jones, the house went into committee of the whole on said bill, and it being amended therein, the committee rose, and reported the bill to the house, when the bill was read the third time and passed, and then the house adjourned.

Wednesday, May 28. Several bills and reports on private claims being reported and disposed of,

Mr. Adams moved, and obtained leave, for a meeting in behalf of the Polish exiles, to be held in the hall to-morrow evening.

The house then proceeded to the consideration of the reports in the case of the Kentucky contested election.

Mr. Vanderpoel addressed the house in reply to Mr. Binney, and in support of Mr. Moore's claim.

Mr. Pope, of Ky. followed on the same side of the question. He was followed by Mr. Davis, of Ky. whose argumentative and yet humorous speech drew around him almost all the members present.

Mr. Jones, the chairman of the committee on elections, moved an amendment to the resolution as originally reported by him, so as to test the question whether certain votes received in Garrard county, during the absence of the sheriff, should be counted.

Mr. Jones then replied to Mr. Davis, and when he concluded his remarks, the house adjourned.

Thursday, May 29. Mr. J. Q. Adams obtained the unanimous consent of the house to submit the following resolutions:

Resolved, That the select committee of this house, appointed on the 4th of April last, to investigate the proceedings of the bank of the United States, be discharged from the further consideration of the subject referred to therein:

Resolved, That in the transactions of the said committee with the president and directors of the bank of the United States, as set forth in the reports of the committee, and in the correspondence annexed to the same, no contempt of the lawful authority of this house has been offered by the said president and directors of the bank, or by any one of them.

Resolved, That any order of this house to the serjeant-at-arms to arrest and bring to the bar of the house the president and directors of the bank of the United States, or any one of them, to answer for an alleged contempt of the authority of the house, as proposed by the concluding resolution offered by the report of the majority of the said select committee, would be an unconstitutional, arbitrary, and oppressive abuse of power.

Mr. A. said it was his intention to propose these resolutions as a substitute for those reported by the majority of the committee appointed to investigate the affairs of the bank of the United States, when the reports should come up for consideration.

On motion of Mr. A. the resolutions were ordered to be printed.

The house then took up the joint resolution submitted by Mr. Boon, fixing the 16th June for the adjournment of congress.

This produced a wide and desultory debate that occupied the whole day. Messrs. Polk, Ellsworth, Bcnrdsley, Chambers, and many others took part in it. The 16th, 23d and 30th of June were proposed, and after many calls of the yeas and nays, and for the previous question, &c.

The question was put on fixing the 30th of June as the day of adjournment, and carried by yeas and nays, as follows—yeas 128, nays 83.

The remarks of several of the speakers were highly interesting—but we cannot make room for them: the following, however, may give some idea of the manner and matter of the debate:

Mr. Wilde wished, before he gave his vote, to learn from the gentlemen who composed the bank committee, how long a time they calculated it would require to discuss and act upon the report they had made to the house. He desired the earliest day of adjournment that would not interfere with that object.

Mr. Thomas, (chairman of the bank committee), after a modest disclaimer of any right to direct the movements of others, expressed it as his opinion that it would be farcical to think of taking up the bank committee's report and acting upon that,

and the other important business of the house, and adjourning on the 16th of June. So entirely was he fixed in this opinion, that he should consider a vote fixing on that day as equivalent to a decision that the report of the bank committee was not to be taken up this session. Should the fifth resolution reported by the committee be acted on, the arrest of the officers of the bank would consume nearly a week; and certainly not less than a week or ten days would afterwards be consumed in debate. Indeed, if the motion fixing the 16th should prevail, he should feel it his duty to move that the report of the bank committee be laid upon the table.

Then a motion to lay the resolution on the table was rejected, &c. Mr. *Wilde* having again inquired of the bank committee if they thought the 23d would afford time enough to discuss their report. Mr. *Crockett* said, he was very anxious that the 16th should be fixed upon. The proposal for that day, had come from a very good quarter—a quarter where there was responsibility. He had never believed the gentlemen were in earnest about this bank report; and now they discovered it. They were manifestly anxious to get away, that they might leave the country excited against the bank, as a monster that had done something very mischievous. As the quarter from which this proposal had first proceeded was able to bear the responsibility, he was of the mind that they should have it; and he therefore demanded the yeas and nays.

Mr. *Clayton* having heard the gentleman from Maryland (Mr. *Thomas*) say, that he should consider a vote for early adjournment as a resolution not to take up the bank report, he had changed his mind; and now moved to reconsider the vote by which the 30th of June had been rejected for the day of adjournment.

Mr. *Lyle* said he was in favor of the most distant day proposed. The honorable gentlemen from Rhode Island (Mr. *Burges*) had expressed the opinion that not more than three members would be found to stand by the resolutions reported by the bank committee. He declared his resolution to be one of them. He had no disposition to blench. The opposition presses had long been teeming with injunctions on congress not to adjourn; and similar language had been re-echoed in the other end of the capitol; but no sooner did the committee return, and declare that they had been treated by the bank with contumely and scorn, than gentlemen were anxious at once to skulk. He, for one, was ready to keep his ground.

The motion to reconsider, as made by Mr. *Clayton*, prevailing—and the question being upon fixing on the 30th of June as the day of adjournment.

Mr. *Adams* took the floor, and, in a speech of great animation, assigned his reasons why he had changed his determination from voting for the earliest day, as he had uniformly done hitherto, to voting for the day now proposed. In the course of his remarks, he adverted to the subject of the bank report and resolutions.

This brought up Mr. *Thomas* in reply, who spoke with equal earnestness in vindication of the measure of arrest, as supported by precedent in *Houston's* case.

#### UNITED STATES BANK.

*Report of the majority of the committee of the house of representatives, appointed to investigate the affairs of the bank of the United States.*

[Presented May 22, 1834.]

The committee appointed in pursuance of a resolution of the house of representatives, passed on the 4th day of April, by which it was

*Resolved*, That for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the United States, in sundry memorials, which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated, and also what corruptions and abuses have existed in its management; whether it has used its corporate power, or money, to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure, a select committee be appointed to inspect the books, and examine into the proceedings of the said bank, who shall report whether the provisions of the charter have been violated or not; and, also, what abuses, corruptions or mal-practices, have existed in the management of said bank; and that the said committee be authorised to send for persons and papers, and to summon and examine witnesses on oath, and to examine into the affairs of the said bank and branches. And they are further authorised to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable—

Respectfully submit the following report, in part of their proceedings, so far as they have found it practicable to discharge the duties devolved on them.

Charged, particularly, to examine into the conduct and condition of the bank of the United States, they have endeavored most anxiously to ascertain correctly the true character of that highly responsible and delicate trust.

To judge rightly of the proceedings of the house of representatives, and of its committee towards the bank, it must be borne

constantly in mind, that that corporation differs essentially from an ordinary banking company, incorporated for private benefit. The bank of the United States was chartered for great public purposes, as an agent, deemed necessary to the federal government, to the efficient exercise of its high prerogative, to fix the value of money, and thereby secure the benefits of a sound circulating medium to the confederacy.

It was designed to aid the treasury department to collect conveniently and disburse the national revenue—of its notes are the United States hold seven millions of dollars. And its stock are by law made receivable, at par value, in payment of all dues to the government. Concede, as we must, that the bank was established for great public ends, and that the house of representatives is the grand inquest of the union, and as such has power to visit and inspect all departments of the federal government, to correct their abuses, reform their errors, and confine the exercises of their powers within the limits prescribed by law to each, and it follows that the house has power to appoint a committee to make a minute and full inquiry into all the multifarious operations of this powerful corporation.

But that there might be no doubt of the existence of the power here contended for, it has been expressly reserved in the 23d section of the charter of the bank, which provides, "That it shall be at all times, lawful for a committee of either house of congress appointed for that purpose, to inspect the books and examine into the proceedings of the corporation hereby created, and to report whether the provisions of its charter have been violated or not."

The language in which this authority of the house is described, is so plain and so full, that an attempt to illustrate it appears to be supererogatory. The committee to be appointed are to "inspect the books and examine into the proceedings of the corporation" without exception. The section contains no reserved power to the bank to designate the place where, or the persons in whose presence the examination shall be made. These modes of exercising the main power are necessarily, as its incidents, dependent on the discretion of the sovereign will whom it is lodged. A contrary construction would make either or both houses of congress dependent on the agent, whose conduct is to be the subject of inspection.

If the bank can attach any conditions to its exercise, not found in the charter, then it could render nugatory the power, by which it was intended it should be checked and controlled. That the great conservative purposes for which such committees of investigation were to be appointed might not be thus defeated, the extent and character of their inquiries are rightly made to depend on the wisdom, patriotism and justice, of either house of congress.

The only restriction to be found in that clause of the bank charter which we are considering, is that which relates to the committee, and not to the house; and has reference, not to the extent of the examination, but to the character of the report to be made. The committee is directed to report amongst other things, "whether the provisions of the charter have been violated or not." The object of this specific requirement is to be found in another clause of the same section of the charter, which provides, "whenever any committee as aforesaid, shall find and report, or the president of the United States shall have reason to believe, that the charter has been violated, it may be lawful for congress to direct, or the president to order a *scire facias* to be sued out of the circuit court of the district of Pennsylvania, in the name of the United States, calling on the said corporation to show cause wherefore the charter hereby granted, shall not be declared forfeited."

But if there ever had been a well-founded doubt as to the true and fair construction of this reserved power of the house, the committee did suppose it had been long since yielded.

In 1818, Mr. *Spencer*, of New York, offered to the house of representatives a resolution providing for the appointment of a committee to inspect the books, and examine into the proceedings of the bank. In the debate to which that resolution gave rise, the opinions now entertained by your committee, were well expressed by many distinguished gentlemen. For presenting short extracts from one of the speeches then made, no apology, it is supposed, will be needed. Mr. *Lowndes* said, he had no "apprehension of defect of power in the house to prosecute the inquiry in the terms proposed. He had no doubt of the power of the house, if the public interest required it, to direct the committee to make such a report. The nation, said he, has a deep interest in the conduct and management of the bank; our duty to the people whom we represent, the nation's interest, as owners of a large portion of the stock, its interests in the revenues being wholly payable in the notes of the bank, will justify a constant and vigilant attention to its proceedings. If there had been a doubt whether the conduct of the bank had been PROPER or NOT, the house was fully justified in investigating into the facts, and inquiring whether ABUSES had been committed or not. He would vote for an inquiry in its broadest shape."

The resolution of Mr. *Spencer* was adopted, and a committee appointed, who visited the principal bank at Philadelphia and some of its branches. They had free unrestrained access to the books and papers of the bank. They were furnished by the officers with such extracts and copies from the books and papers as they called for. They summoned before them the directors and officers of the bank, and examined them on oath touching their conduct and proceedings. And the committee made to

the house, on the 16th January, 1819, an elaborate report, from which we learn that their inquiries had been chiefly directed "to the general management of the bank and the conduct of its officers." The transactions of private citizens with the Bank were then freely and fully examined. Individual transactions of the president and directors of the bank, in the purchase of its stock, were fully investigated, and those officers sworn and required to testify before the committee. Though deeply affected, personally and officially, by these developments, they never hesitated or objected to obey the process or to give their testimony.

The names of the borrowers from the bank were published without scruple, with the amount of money due from each, whenever and not otherwise, such a publication was deemed necessary to illustrate the improper conduct or mal-administration of its officers.

This precedent, to which the committee of 1832 strictly conformed, is entitled to high respect from the eminent character of those by whom it was established, and who have justly enjoyed high reputations for purity of purpose and distinguished attainments.

If any additional reason for deference to this contemporaneous construction of the 23d section of the charter be necessary, it may be found in the fact that the directors of the bank in 1819 themselves assented to it. They conceded to the committee of the house the right to inspect all their books and papers in such manner as that committee thought just and proper. Besides, those who now have the management of the bank, in 1832, without question of right, without hesitation, without protest, produced for the inspection of the committee of the house, all their books, papers, correspondence and accounts, and appeared when summoned, and testified on oath touching the transactions of the institution under their control. With these preliminary observations for which it is believed ample apology, if any be required, will be found in the subsequent portion of this report, the committee will proceed with a brief analysis of their proceedings in the execution of the duties devolved on them, showing the unexpected obstacles interposed by the managers of the bank, to the progress of the examination, and their repeated refusal, in violation of their charter, and in contempt of the authority of the laws and of the house of representatives, to permit their books and papers to be inspected or their proceedings to be examined.

The purposes for which your committee were appointed, are stated so distinctly in the resolution of the house, that they have experienced no embarrassment in deciding on the character of the duties imposed. They are required 1st, to ascertain, if practicable, the cause of the commercial embarrassments and distress complained of by numerous citizens of the United States, in sundry memorials which have been presented to congress at the present session, and whether the bank has had any agency through its management or money, in producing the existing pressure.

2d. To inquire whether the charter of the bank of the United States has been violated, and what corruptions and abuses have existed in its management.

3d. To examine whether the bank has used its corporate power or money to control the press—to interfere in politics, or influence elections.

The powers designed to be conferred on the committee, if they could have been exercised are adequate to the performance of the duties enjoined; they were authorized to send for persons and papers; to summon and examine witnesses on oath—to visit if necessary the principal bank and its branches—and to inspect the books, correspondence, accounts, and other papers connected with its management. Such are the duties and the powers of your committee, conferred on them by the house with extraordinary unanimity, and which your committee felt bound to regard, as consistent with the chartered rights of the corporators and their debtors.

Under a deep sense of respectful obedience to the decision of the house of representatives thus solemnly expressed, and feeling that they had no right to question its justice or propriety, your committee proceeded to Philadelphia on the 22d April, to commence the performance of their duties.

On the 23d of April, their chairman addressed to the president of the bank, a communication, enclosing a copy of the resolution of the house of representatives, and notifying him of the readiness of the committee to visit the bank on the ensuing day, at any hour agreeable to him. In reply, the president informed the committee that the papers thus received should be submitted to the board of directors, at a special meeting to be called for that purpose. It appears, in the journal of the proceedings of the committee, herewith presented to the house, that this was done, and that the directors appointed a committee of seven of their board, to receive the committee of the house of representatives, and to offer for their inspection such books and papers of the bank, as may be necessary to exhibit the proceedings of the corporation, according to the requirement of the charter. In the letter of John Sergeant, esq. as chairman of the committee of directors, communicating the proceedings of the board, he says that he was directed to inform the chairman of this committee, that the committee of the directors "will immediately direct the necessary arrangements to be made for the accommodation of the committee of the house of representatives," and would attend at the bank to receive them the next day, at 11 o'clock. Your committee attended, and were received by the committee of directors.

Up to this period, nothing had occurred to justify the belief that a disposition was felt, on the part of the managers of the bank, to embarrass the proceedings of the committee, or have them conducted differently from those of the two preceding committees of investigation. On assembling, however, the next morning, at the bank, they found the room which had been offered for their accommodation, preoccupied by the committee of the board, with the president of the bank, as an *ex officio* member, claiming the right to be present at the investigations and examinations of this committee. This proceeding the committee were not prepared to expect. When the appointment of the committee of seven was first made, it was supposed that that measure, however designed, was not well calculated to facilitate the examination.

The officers of the bank were believed to be the most appropriate agents of the board of directors to exhibit their books and papers. By them the entries in the books are made, and by them such entries are most readily explained. It is their duty too, to be daily at the banking house, and on that account they could assist in the examination more readily than the committee of directors.

These objections to the special agents of the board, were felt and expressed, but they were waived, and no disposition had been manifested or felt by your committee, to conduct the examination in any manner not entirely acceptable to the board.

Under these circumstances, your committee did think that a decent respect for their rights and privileges, and much more for the dignity of that body from which all their powers were derived, might have induced the committee of directors to forbear to make them feel an entire want of control over their own room. With a previous determination to be present when their books were to be inspected, they could have waited to avow it until these books were called for, and the attempt made to inspect them in their absence. These circumstances are now reviewed, because they then excited an apprehension, which the sequel formed into conviction, that this committee of directors had been appointed to supercede the acts and doings of your committee, and to limit and restrain their proceedings, not according to the directions contained in the resolution of the house, but the will and judgment of the board of directors. Your committee have chosen to ascribe this claim of the committee of directors, to sit conjointly with them, to the desire to prevent them from making use of the books and papers, for some of the purposes pointed out by the resolution of the house. They are sensible that this claim to be present at all examinations, avowed prematurely, and subsequently persisted in with peculiar pertinacity, could be attributed to very different motives; but respect for themselves, and respect for the gentlemen who compose the committee of directors, utterly forbids the ascription to them of a feeling which would merit compassion and contempt much more than resentment.

This novel position, voluntarily and deliberately taken by the committee of the directors, predicated on an idea of equality of rights with your committee, under your resolution, rendered it probable, and in some measure necessary, that your committee should express its opinions of the relative rights of the corporation and the house of representatives. To avoid all misunderstanding and future misrepresentations, it was desirable that each question should be decided separately. Contenting an extended investigation, but unwilling that an apprehension should exist of improper disclosures being made of the transactions of the bank and its customers, your committee, following the example of the committee of 1832, adopted a resolution declaring that their proceedings should be confidential, until otherwise ordered by the committee, and also a resolution that the committee would conduct its investigations "without the presence of any person not required or invited to attend." A copy of these resolutions was furnished to the committee of directors, in the hope that the exclusive control of a room at the bank, during its hours of business, would thereafter be conceded to your committee, while the claim of the committee of directors to be present when the books were submitted for inspection, should be postponed for decision, when the books were called for and produced by them.

On the 28th ult. this committee assembled at the banking house, and again found the room they expected to find set apart for their use, preoccupied by the committee of directors, and others, officers of the bank. And instead of such assurances as they had a right to expect, they received copies of two resolutions adopted by the board of directors, in which they were given to understand that their continued occupation of the room must be considered a favor, and not a matter of right; and in which the board indulge in unjust commentaries on the resolution of the house of representatives; and intimate an apprehension that your committee design to make their examinations secret, partial, unjust, oppressive and contrary to common right.

When this communication had been read, your committee adjourned to meet at their own chamber, at the North American hotel. Notwithstanding all that had occurred, the correspondence with the committee of directors was continued. If in doing so an error was committed, let it be imputed to the belief that great forbearance well became the committee of the immediate representatives of the people.

While it was thus doubtful whether a room could be obtained in the banking house, without conditions being attached derogatory to the rights and dignity of the house, and a concession in advance of a claim set up by the bank, which might seriously

Incommodate your committee in their business, they determined to execute your resolution, if practicable, without intruding on the directors of the bank; they therefore, required of the president and directors, in writing, to submit for the inspection of the committee, at their committee room, on the 3d day of May, certain books and papers of the bank, which might have been thus produced without interruption to the ordinary business of the bank. The requisition, in terms implied the presence of the directors or their committee.

On the day named, the board addressed a written communication to the committee, declaring, "that they cannot comply with that part of the resolution of the committee of investigation which requires that certain books of the bank be sent to the North American hotel, this day, at 11 o'clock."

Your committee are of opinion that this refusal of the board of directors to submit the books of the bank to the inspection of your committee, is a violation of the bank charter, and a contempt of the laws and authority of the house of representatives.

The reasons for this opinion need not be here repeated or enlarged.

It has been maintained, and is insisted, that the right to inspect the books of the bank, carries with it the power to perform that office out of the banking house, if it cannot be done conveniently and effectually therein, and your committee cannot perceive that just ground of complaint exists against a claim of power, in a committee of either house of congress, which, by the laws, and with a wise regard to the public interest, is conceded to the judicial tribunals of both the federal and state governments.

The facts already stated, demonstrate that a room could not be procured in the bank for the use of the committee, without a concession not to be recalled, which would have made your committee dependent on the courtesy of the directors of the bank at every step of the inquiry, and the various communications received from the directors and their committee, annexed to this report, will fully corroborate this statement.

Having failed to accomplish the object of procuring the books of the bank for inspection, at their committee room, your committee felt it to be their duty to demand their submission for that purpose, at the bank, of the president and cashier of the bank, the usual and general agents of the corporation. For that purpose, on the 5th day of May, having apprised the committee of directors of their intention, at one o'clock, they repaired to the bank and then required the president and cashier, each of them respectively, to produce certain of the books of the bank, for inspection of the committee. This was refused by each of those officers, for reasons stated in writing, and to be found in the appendix to this report.

In this refusal, your committee believe there was a substantial violation of the bank charter, and a contempt against the authority of the house committed.

They are of opinion, that your committee were under no obligation of right to recognise any agent of the bank other than those generally known as such, and make their duty and right to inspect the books depend on the convenience or caprice of such deputation.

If such be the fact, then the examinations of the bank will, in all cases, depend on the disposition of the directors to have their proceedings examined.

Having been thus denied, by the officers of the bank, and having been informed by the directors, that they were not aware of having declined to furnish a room for the exclusive use of the committee, your committee, sincerely desirous to meet the wishes and directions of the house, believed it to be their duty to seek another interview with the committee of directors, and by arrangement, met the committee of the board, at the bank, on the 7th day of May, at an hour fixed by themselves.

Your committee then and there, in writing, required of the committee of the board, to produce to your committee, for inspection, certain books and papers of the bank, to enable your committee to inquire into the truth of representations made by the government directors to the president of the United States, and to congress; and to ascertain whether the board of directors had violated the charter of the bank, by authorising the exercise of illegal powers by their committees or officers, and whether the bank had any agency, through its management or money, in producing the present pressure, or has used its corporate power or money to control the press, to interfere in politics, or influence elections.

Without giving a specific answer to these calls for books and papers, the committee of directors presented a written communication, which was said to be "indicative of the mode of proceeding deemed right by the bank."

The committee of the board in that communication, express the opinion, that the inquiry can only be rightfully extended to alleged violations of the charter, and deny virtually the right of the house of representatives to authorise the inquiries required in the resolution.

They also required of the committee of investigation, "when they asked for books and papers, to state specifically in writing, the purposes for which they are proposed to be inspected; and if it be to establish a violation of the charter, then to state specifically in writing, what are the alleged or supposed violations of charter, to which the evidence is alleged to be applicable."

To this extraordinary requirement, made on the supposition that your committee were charged with the duty of crimination, or prosecution for criminal offence, and implying a right on the part of the directors to determine for what purposes the inspec-

tion should be made, and what books or papers should be submitted to inspection, your committee replied, that they were not charged with the duty of criminating the bank, its directors, or others; but simply to inquire, amongst other things, whether any prosecution in legal form should be instituted, and from the nature of their duties, and the instructions of the house of representatives, they were not bound to state specifically in writing any charges against the bank, or any special purpose for which they required the production of the books and papers for inspection.

A specific answer was requested to the calls which had been made.

The committee of the board, after deliberation, made a communication to your committee, in writing, in which they announced their purpose to adhere to their resolution, and refused to submit the books and papers of the bank, required by your committee to be produced for their inspection.

These calls were made in the bank, and in the presence of the committee of the board, and then and there a compliance with them was refused. Not feeling authorised to regard this unexpected and unequivocal refusal as the act of the board of directors, your committee submitted the proceedings of their committee to the board, and they were by the board "fully approved and sanctioned."

In this act of refusal, which nothing that had occurred had prepared them to anticipate, your committee are of opinion, that the charter of the bank was violated, and a contempt of the authority of the house of representatives committed.

Your committee, acting under the instructions of the house of representatives, without power to modify or enlarge them, charged to inquire, and not authorised to accuse or to arraign, except in their report to the house itself, armed with but the limited authority of a committee, unauthorised to punish, were necessarily compelled to the conclusion, that, in the face of the objections already detailed, they could not efficiently prosecute the inquiries with which they were charged, without the aid of the power of the house of representatives.

Anxious, however, to perform their duty without complaint to the house, and in conformity with the proceedings of the committee of investigation of 1819 and 1832, your committee called on the bank, in a series of resolutions, to furnish statements, and certain extracts and copies from their books and papers, which, in the opinion of your committee, were all intimately connected with their duties, and many of them indispensable to afford to the house of representatives the information which they had directed your committee to obtain.

The first of these was responded to by the committee of directors, and the information furnished. Though useful, it was comparatively unimportant.

The board of directors, after deliberation, refused to comply with the other calls, for reasons which will be found in their resolution in the appendix, and which reasons deserve examination, as manifesting the deliberate purpose of the directors to resist all attempts to examine into the proceedings of the corporation in the latitude required by your resolution.

They say, that the board of directors do not feel themselves at liberty to comply with the requirement of the committee of investigation, because "part" of the copies called for "relate to matters over which the board have no control."

This reason, it is plain, cannot have had much weight in producing the decision of the board. If only a part of the information desired was beyond the control of the board, that fact could have been stated, and this committee would have cheerfully received the residue.

2d. The board say, they cannot comply, because it would be impossible for them to do so "within any reasonable time, having ascertained, by a careful examination, that the copies and statements called for by the resolutions of the 29th ultimo alone, would require the uninterrupted labor of two clerks for at least ten months."

This reason, it is also fair to presume, could not have materially influenced the decision of the board. If, in truth, an entire compliance with all the resolutions would require great labor, still that did not justify the refusal to comply with any one of them. Besides, the whole objection could have been obviated by the employment of more clerks than two, the compensation to whom, if paid either by the bank or this committee, would have been well expended in gratifying the requirement of the house of representatives.

3d. The board say they cannot "comply, inasmuch as in respect to a part of the papers called for, the effect would be the same as the surrender of their books and papers to a secret and *ex parte* examination."

Who can read this last reason for refusal, given by the directors, and fail to perceive that this committee is justified in declaring, that without the aid of compulsory process, they cannot obey the directions of the house. If extracts from their own books made by their own clerks, will not be furnished, because they might be used to conduct an *ex parte* examination, what benefit could this committee expect to derive by access to the books themselves?

Permission to take extracts for themselves could, and probably would, be denied for the same reasons; and a committee of the house, without power to compel obedience to its demands, would have power to make no use of the books, which was not approved by the directors themselves. And the house will be at no loss to determine what latitude they would be willing to give their inquiries. And without authentic extracts, such as were

unhesitatingly furnished by the bank to both the former committees of investigation, your committee could very imperfectly convey to the house the grounds of their conclusions, or the result of their inspection and examination.

In what condition, then, is your committee placed? The house have commanded them to inquire "what corruptions and abuses have existed in the management of the bank," whether it has used "its corporate power, or money, to interfere in politics, or influence elections."

To do this, they have attempted to use the only means that can, by possibility, enable them to fulfil this duty; and they are refused by the directors access to those means which are in their custody, and which, by their charter, they are bound to furnish; because, say they, the inquiry this committee has been charged to make, "can only be rightfully extended to alleged violations of the charter." And even these violations of charter are not to be inquired of until the board is furnished with "a specification of all the charges intended to be inquired into." Should suppositions of violations of charter be specifically charged, then the directors are to decide whether the facts, if true as stated, would amount to technical violations of charter, and then and not till then, will your committee be permitted to "proceed with them in order as stated." It must be said, that these pretences, by which the bank would justify its bold disregard of the provisions of its charter, are, in themselves, derogatory to the dignity, and contemptuous to the authority, of the house, to which it in part owes its being.

The committee believe, that these proceedings of the bank directors, denying vital and essential powers to the two houses of congress, and asserting, in effect, a paramount and controlling authority over both in executing a power devised as a check upon the bank itself, would justify a more extended comment. But confiding in the disposition of the house to maintain its own rights and dignity, and to sustain your committee in the faithful discharge of their duty, they present as a part of this report the various resolutions adopted by your committee, with those received from the agents of the bank, as an appendix, declaratory of the powers believed to be possessed, and the purposes of your committee.

They believe that these resolutions will, of themselves, vindicate their conduct and proceedings from all those imputations which are to be found in the various communications of the directors, and their committee, and will serve to show that they have afforded no justification whatever for the extraordinary position ultimately taken by the committee of directors and the board. But that their determination not to permit any conduct of theirs not involving breach of charter, to be investigated, must have been entertained long before it was made known to your committee—and that it was not communicated until every other means of preventing the examination had proved unavailing. But for this conduct, which your committee cannot regard as distinguished by frankness and candor, the absence of your committee, from their duties in the house, would have been of much shorter continuance.

Believing they had now exhausted, in their efforts to execute the duty devolved upon them, all reasonable means depending solely upon the provisions of the bank charter, to obtain the inspection of the books of this corporation, your committee were at last reluctantly compelled to resort to the subpoena which had been furnished to them under the seal of this house, and attested by its clerk. They, thereby, on the 9th inst. directed the marshal of the eastern district of Pennsylvania to summon Nicholas Bidde, president, and thirteen other persons, directors of the bank, to attend at their committee room, on the next day, at 12 o'clock, at noon, to testify concerning the matters of which your committee were authorised to inquire, and to bring with them certain books therein named for inspection. The marshal served the summons in due form of law, and at the time appointed, the persons therein named appeared before the committee and presented a written communication signed by each of them, as the answer of each to the requirements of the subpoena, (which is in the appendix to this report). In this paper they declare "that they do not produce the books required, because they are not in the custody of either of us, but as has been heretofore stated, of the board," and add, "considering that as corporators and directors, we are parties to the proceeding—we do not consider ourselves bound to testify, and therefore respectfully decline to do so."

Your committee will not dwell long to answer these technical excuses for this contempt of the lawful mandate of the house. They are to be found at large in the written document above referred to. Most of them, it is believed, have been already satisfactorily answered. The two novel excuses herein set forth, cannot but be condemned as insufficient. The first is founded on a very refined distinction between the power of the directors as persons and as corporators. The same persons have and have not power to submit the books. As corporators, the custody of the books is in them; but as individuals, although collectively assembled, the same books are not under their control. Thus, in an attenuated technicality, the lawful authority of the house is to be defied. If, in one room of the bank they must be esteemed as "individual citizens," who may lawfully disregard a subpoena duces tecum, because they have not the book demanded—if, in another room of the same house, by a transmigration not known to heathen philosophy, their identity is gone; they have become mere ideal creatures, on which not even the subpoena ad testificandum can be served. To make this

excuse still more extraordinary let it be remembered that seven of the gentlemen by whom it is offered had been appointed by the board of directors to exhibit the books of the bank for inspection, and of course must have had the right to that exclusive possession for that purpose.

The reason assigned for the refusal to be sworn is parallel with that which has just been considered. They claim, that, as corporators and directors, they are parties to the proceedings of the house, and therefore not bound to give testimony. It is a humane rule to be found in the criminal law, which declares that no man shall be compelled to criminate himself, and one which this committee would be unwilling, under any circumstances, to deny, but your committee are not aware of any principle of evidence which will excuse a person for refusing to give testimony, simply because it may subject him to a civil action.

There are provisions in the bank charter, making the directors liable to a civil suit if proved to have participated in certain transactions therein mentioned. But it ought not to be supposed that any thing can be found on the books of the bank that would subject the directors to a criminal prosecution. Even if the latter supposition be not entirely without foundation, still it is insisted that a witness called on to testify, must do so, unless the court or other tribunal before which he appears, shall adjudge that he is interested. That question the witness cannot be permitted to decide for himself, otherwise evidence might be withheld without good cause. As to the supposition that the directors, or the corporation under their control, are to be considered parties to the inquest this committee was directed to institute, it has already been answered in this report, and needs no further reply. If the inquest had been prosecuted, and had satisfied congress and the president that a *scire facias* ought to issue, then, and not till then, could the bank directors become parties to the proceedings, and, under that principle, attempt to conceal transactions known only to themselves; and even then their books might be used as evidence against them. Justice requires us to add, that the directors, while they protested against our right to examine them, declared they had no knowledge, which, if a necessary regard to their duties and the rights of others permitted, they would not willingly expose without reserve.

Under such circumstances, it is to be regretted that they have not initiated the course of the directors of 1819 and 1832, by waiving their supposed technical rights, and inviting an unstrained examination of their proceedings. Such conduct could not but have gained public approbation; and it is humbly conceived, could not have been reasonably objected to by any persons having business with the institution. If such had been the course of the directors, the committee hope to be pardoned for saying it was their purpose to have endeavored to have performed the duties which had been enjoined, thoroughly, impartially, and with a rigid adherence to the immutable principles of truth and justice.

Thus, your committee conclude, the just power and authority of the house of representatives have been set at naught, defied and contemned.

Thus, the charter of the bank of the United States has been deliberately violated, by repeated refusals of the directors of that corporation to submit their books and papers to the inspection of this committee.

Thus have the just expectations of the house and of their constituents been disappointed, and all means of obtaining the best and most accurate information concerning the operations of a controlling moneyed institution, been cut off and denied.

It remains for the house and the country to decide how far this conduct of that directory has been dictated by their solemn duty, as declared, to protect the interests of others committed specially to their protection. How far it conforms to those principles of action which are based on conscious integrity and uprightness of purpose, which defies scrutiny, and invites investigation; and how far it shall be received as a plea of guilty to the high misdemeanors which they insist have been charged against the corporation of which they have the management and control.

These grave questions, with others growing out of the transactions and proceedings, are left to be decided by the house of representatives.

To elicit those opinions, the following resolutions are most respectfully submitted:

1. *Resolved*, That by the charter of the bank of the United States, the right was expressly reserved to either house of congress, by the appointment of a committee, to inspect the books, and to examine into the proceedings of the said bank, as well as to ascertain if at any time it has violated its charter.
2. *Resolved*, That the resolution of the house of representatives, passed on the 4th of April, 1834, for the appointment of a committee, with full powers to make the investigations embraced in said resolution, was in accordance with the provisions of the charter of said bank and the power of this house.
3. *Resolved*, That the president and board of directors of the bank of the United States, by refusing to submit for inspection, the books and papers of the bank, as called for by the committee of the house of representatives, have contemned the legitimate authority of the house, asserting for themselves powers and privileges not contemplated by the framers of their charter, nor in fairness deducible from any of the terms or provisions of that instrument.
4. *Resolved*, That either house of congress has the right to compel the production of any such books or papers as have been



called for by their committee, and also to compel said president and directors to testify to such interrogatories as were necessary to a full and perfect understanding of the proceedings of the bank at any period within the term of its existence.

5. *Resolved*, That the speaker of this house do issue his warrant to the sergeant-at-arms, to arrest Nicholas Biddle, president, Manuel Eyre, Lawrence Lewis, Ambrose White, Daniel W. Cox, John Holmes, Charles Chauncey, John Goddard, John R. Neff, William Platt, Matthew Newkirk, James C. Fisher, John S. Henry and John Sergeant, directors of the bank of the United States, and bring them to the bar of this house, to answer for their contempt of its lawful authority.

**REPORT OF THE MINORITY OF THE COMMITTEE.**  
Mr. Everett, from the minority of the committee, appointed to investigate the affairs of the bank of the United States, submitted the following report:

The undersigned, members of the committee for investigating the affairs of the bank of the United States, having differed from their colleagues as to the extent of the powers of the committee, and the mode of pursuing the investigation, beg leave to submit the grounds of this difference, and their reasons for not concurring in the report of the majority of the committee.

The twenty-third section of the law, approved on the 10th of April, 1816, (commonly called the bank charter), makes the following provision: "It shall at all times be lawful for a committee of either house of congress, appointed for that purpose, to inspect the books, and to examine into the proceedings of the corporation hereby created, and to report whether the provisions of this charter have been, by the same, violated or not." This provision is, in terms, an express grant of power to either house of congress; and, consequently, but for this grant, neither house would have possessed the power. To suppose that either house of congress would have possessed the power, although the charter had been silent on the subject, is to suppose that so much of the twenty-third section of the charter as gives the power, is mere surplusage—an unauthorised and inadmissible supposition.

If the power reserved in the twenty-third section had been already possessed by either house of congress, it must have been in virtue of its general authority to institute inquiries, and to send for persons and papers. But had the congress who granted the charter understood that this authority to send for persons and papers extended to the inspection of the books of the bank, they could not have deemed it necessary to provide that it should be lawful, at any time, for either house of congress to appoint a committee for such inspection.

The resolution passed on the 4th of April last, under which the committee of investigation was appointed, is expressed in the following terms:

[The resolution will be found at the commencement of the preceding report.]

The committee, thus appointed, is clothed with the power granted to either house of congress, by the twenty-third section of the charter, the same being given to it by the express words of the resolution, which authorises it to "inspect the books, and examine into the proceedings of the said bank," and "report whether the provisions of the charter have been violated or not."

Had the resolution stopped here, its interpretation would have been easy. It would have been (and would so have necessarily been understood) a resolution creating a committee under the power granted by the twenty-third section of the charter, and for the precise objects, and no other, therein provided for. But the resolution of the house goes much farther. It purports to authorise the committee to engage in a much wider range of inquiry than the violation of the charter. It declares the objects of investigation to be three-fold, viz: 1st, the causes of the commercial embarrassment and distress alleged to exist; 2d, violations of the charter; 3d, corruptions and abuses in the management of the bank, of which several are alluded to in very general and comprehensive terms, as will be perceived by recurrence to the resolution just quoted. Of these three objects, the second only is the one on which a committee, raised in pursuance of the twenty-third section of the charter, is authorised to report.

As the resolution of the house enumerates objects of inquiry not named in the charter, so it specifies means of attaining information, not provided for in that law. It authorises the committee "to send for persons and papers, and to summon and examine witnesses on oath," and to examine into the affairs of the said bank and branches.

The point of chief question in this matter has been, what extension of the powers possessed by the committee, in virtue of the twenty-third section of the law, is effected by this additional detail of the objects to be investigated, and of the means for attaining knowledge concerning them.

The subscribers understand their colleagues, the majority of the committee, to claim, under the terms of the resolution, an unlimited power of inquiry after all the conceivable corruptions and malpractices of the bank, and of sending for the persons of its officers and directors, and for any and all of its books and papers, in order to ascertain whether any such corruptions and malpractices exist. The subscribers believe that no such power of general search is given to the committee by the resolution; and that it was not competent for either house of congress to give it. In their difference of opinion from their brethren of the majority on this head, will be found the chief source of their

dissent from most of the important measures proposed by the committee.

Before explaining their views more distinctly, they would observe, to avoid all misconception, that it is no part of their purpose to maintain that the power of the committee is confined to an inquiry, whether the charter of the bank has been violated. The undersigned believe it is competent for the house to inquire into any alleged abuse or corruption whatsoever, to the utmost latitude required by the public good, and authorised by the principles of justice and law. They believe that the committee, of which they are members, was authorised to make such inquiries. They believe, however, that these inquiries were to be conducted according to the charter; that is, according to law; and according to those general principles of equity and constitutional right which cannot be transcended, in virtue of any resolution of either house of congress; and which the undersigned are unwilling to believe that either house of congress could attempt or wish to transcend.

The undersigned have already, as they think, shown, that the provision in the charter is a grant of power, which would not otherwise have been possessed by either house. So far, therefore, is the general power of sending for persons and papers from enlarging the charter power, that this latter is an addition to the power of sending for persons and papers. The power, therefore, possessed by the committee under the charter, and recited in the resolution, is not, and cannot be, extended or enlarged by any thing else in that resolution. No limitation imposed by the charter upon the inquiry which the committee is thereby authorised to make, or the mode of making it, can be removed by the general parliamentary power of the house to institute investigations, and send for persons and papers. It would be an absurdity to make a charter provision for extending the general powers of the house, and then to seek to enlarge the powers conveyed in that provision, by the addition of something else, supposed to belong to the general authority of the house.

In addition to this, it must be recollected that the charter is a contract proposed by the government to the stockholders, and voluntarily entered into by them. This power of visitation, and of subjecting the books to inspection, is one of the conditions of the contract, onerous to the stockholders. To attempt to enlarge it by construction, is to attempt, contrary to the faith of the contract, to interpolate new and oppressive conditions into the contract. The undersigned, therefore, maintain that a resolution of one house of congress, passed in virtue of its general power of inquiry, cannot enlarge the specific provisions of a law. But they do not therefore hold that this committee could not, under the authority of the resolution of the house, inquire into any other matters than breaches of the charter. They maintain only that this is a power to be exercised agreeably to law and justice; that it is not an absolute inquisitorial power; that it does not authorise a committee of either house to prosecute a secret inquiry of indefinite character, after any and every abuse, probable or possible. It does not extend the right of inspecting the books, granted for one purpose alone, so as to authorise their inspection for purposes totally different. It does not put it in the power of a committee to issue warrants of general search, and compel the appearance of citizens, and the production of papers, not in proof or disproof of charges against third persons, by evidence of which they are the legal depositaries, but in order to enable such a committee to find out by these papers, whether those who bring them are not themselves guilty of misdemeanors. Such a power as this, the undersigned wholly reject as abhorrent to reason and justice; unknown to the constitution of this country; at war with its spirit and with its letter; and utterly repugnant to the public sentiment of the people. To claim such a power, is to claim for either house of congress the right, in virtue of a resolution, of sending to the remotest corners of the union for any number of persons, compelling them to attend a committee, with all their papers, to submit to be examined on oath; to exhibit those papers for inspection; and thus to enable such committee to find matter of fixing on such individuals the charge of gross, but previously unsuspected, misdemeanors and corruptions.

It is not necessary for the undersigned to endeavor to define what are the limits of the powers of inquiry possessed by the houses of congress. It is sufficient for their present purposes to have shown, (and the proposition is proved in its enunciation), what they are not and cannot be. It cannot be within the competence of a committee of the house to institute a general search, and compel the citizens on oath to purge themselves if innocent, and criminate themselves if guilty; and bring with them their papers to be ransacked in a roving hunt for unspecified crimes. The constitution reserves to the people the right, (a right inviolable without the reservation) "to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures." Of all unreasonable searches that can be imagined, none is more signally so than a general search into the papers possessed by a person, whether individual or corporate, with a view to find, (if it should happen to exist), matter of crimination against that person. A general search for any purpose is unreasonable; for the object of criminating the individual searched, it would be at war with the first principles of justice, and, as exercised by a committee of the house of representatives, one branch of a legislature of limited constitutional jurisdiction, an enormous assumption of power. It would be unreasonable, because as no man is beyond the possibility of doing wrong, the right to institute a general search, if it existed, would be a right of inquisition into the affairs of

every individual in the community, a right too extravagant to be claimed by any government pretending to be limited by law, and never exercised by any but those odious and arbitrary tribunals which are handed down to the undying execration of mankind. It would be at war with the first principles of justice, which, as a general rule, compel no man to criminate himself, directly or indirectly, nor to furnish the means of his own crimination. It would be an enormous assumption of power on the part of either house of congress; a body whose jurisdiction does not extend to any considerable portion of the conceivable crimes and misdemeanors which such a search might, if they had been committed, bring out; and who can surely lay claim to no power of searching out matters, which, if the search be successful, are without its province, both of legislation and punishment.

It may be observed that, if the right of making such a search of the bank of the U. States be claimed in virtue of the general powers of inquiry possessed by the house, it extends to every state bank in the union, as fully as to the bank of the United States. The charter gives a power of visiting the corporation thereby created, and of course confined exclusively to the bank of the United States. That power, as has been urged, can be applied only to the objects for which it is given, viz: to enable a committee to report "whether the provisions of the charter have been violated or not." But if we go further and claim a right, under the general power of inquiry possessed by the house, to search the bank for objects not made subjects of search by the charter, then it is obvious that the corporators and directors of the bank of the United States are no more amenable to such a search in their persons, books and papers, than the corporators or directors of any other bank, of any insurance office, trust company, turnpike, canal, or rail road company, or any other private citizens. The right, therefore, claimed by the majority of the committee, if it transcend to the slightest degree the limitations of the charter, must flow from a claim of power, which would bring within its grasp every corporation, every citizen, and every book and paper in the United States, and subject them, at any time, to a general search of a committee of either house of congress.

Should it be contended that, as a great stockholder, the government has a right to institute this search, the answer is obvious. The house of representatives is not the government; and the government, as a stockholder, has no rights not possessed by the other stockholders, or to be exercised in any other way. In the contract between the government and the stockholders, by which the bank was created a corporation of a character partly private and partly public, the government reserved to itself all the powers which it thought were required to protect its interest as a stockholder, or which were needed in reference to any other relations of the bank to the country. To these reservations, the stockholders, by accepting the charter, assented. They cannot now be extended to the prejudice of the bank, without a violation of law and a breach of faith.

The undersigned are far from intending to charge their respected colleagues, from whom they differed with pain, with the design consciously to institute a search of this character into the affairs of the bank, but they felt obliged to dissent from a considerable portion of their measures, deeming them, in effect, (though certainly not so intended), to have all the essential characters of such a general and unlawful search. The justice of this remark will, as the undersigned think abundantly appear, from a review of the principal measures adopted by the committee, which will now, for this reason, be briefly explained.

1. The first step taken was a call by the committee of investigation on the committee of directors, for "a list of the books of the bank, with an explanation of the purposes for which each is designed, and the name of the clerks to whose care and custody they are respectively committed." This was a step preliminary to the process by which the committee of investigation, in the judgment of the majority, could call for, and take into their possession, by a precept addressed to the clerks in the bank, any or all of the books of the institution, in which the business transactions of the bank are entered by the said clerks. This list was furnished by the committee of the directors, with the statement, however, that the books were not in the custody of the clerks, but in the general custody of the board. In consequence of this statement, no attempt was made to obtain possession of the books by a demand of the clerks.

2. Of a similar character, but more objectionable, because tending more directly to the institution of a general search, and forming an immediate preparation for it, was the right, insisted on by the committee, of an exclusive occupation of the room in the banking house, offered by the directors for their accommodation during the inspection of the books. The undersigned refer to the correspondence between the committee of investigation and the committee of the bank on this subject. They would only briefly observe, that a committee of seven had been appointed by the board of directors, to receive the committee of investigation, and submit for their inspection such books and papers of the bank as might be necessary to exhibit its proceedings according to the requirement of the charter. A room in the banking house was, by this committee, offered for the accommodation of the committee of the house of representatives. It appeared at a very early stage of the proceedings, in a conference between the two committees, that the committee of the directors proposed to exhibit their books in person to the committee of investigation, expressing, at the same time, their

expectation and readiness to "withdraw from the room whenever the committee of the house should see fit," in order to furnish the committee of the house the opportunity to deliberate, without the presence of any one, not required or invited by themselves to attend. This proposed manner of conducting the examination was regarded by the majority of the committee of the house of representatives as inadmissible, and formed the subject of a correspondence between them and the committee of the directors. The committee of the house adopted two resolutions, by one of which they agreed that their proceedings should be confidential, unless otherwise ordered by the committee; and by the other, that no person should be present at the inspection of the books and examination of the proceedings of the bank, except those whose attendance might be required or permitted by the committee of investigation.

The first resolution was regarded merely as an understanding, on the part of the committee of investigation, that no publicity would be given by them, until otherwise ordered, to the matters that might appear in the course of the examination. The undersigned assented to this resolution, with the understanding of the parliamentary law, that the sittings of every committee are open, unless ordered to be secret by the house; and that it was not in the power of the present committee, by a vote of their own, either to shut their doors, or impose secrecy on any persons who might attend. But they assented to the injunction of confidence, in conformity with a usage which has prevailed in other committees of inquiry of the house, for their own convenience, as a rule binding on themselves, and with the express reservation that the adoption of this resolution should, in no degree, involve an assent to the principle asserted in the second. To that principle, viz: that no person should be permitted to attend during the inspection of the books of the bank, and the examination of its proceedings, whose presence was not required nor assented to by the board, the undersigned were strenuously opposed. It was asserted as a right on the part of the committee, and, (as the undersigned supposed, and the committee of the directors of the bank appeared also to understand it), with an intention to enforce the right. In pursuance of this intention, (as the undersigned supposed), the committee of investigation ceased to hold their meetings in the rooms set apart for them in the banking house, as soon as they understood the committee of the directors of the bank to claim the right of being there present with their books, during the inspection of the same. It is true that, by a subsequent resolution, the committee of the house of representatives disclaimed having decided that they should, in point of fact, exclude the directors from the room, during the inspection of the books; but they persevered in the assertion of the right to do so, as appears from the documents appended to this report.

This claim was regarded by the undersigned, as being without foundation and objectionable. In the first place, as has been observed, they believed it to be contrary to the *lex parliamentaria* for a committee of inquiry, on its own authority, to claim the right of holding its sittings, except when deliberating and voting, in secret. It can only be constituted a secret committee by express order of the house. Secondly, this principle involved the right of withdrawing the books of the bank from the custody of the directors, and taking them into the possession of the committee of investigation. This is a power not given by the charter, which, as far as the books are concerned, authorises a committee only "to inspect the books." As the right thus reserved by the charter to congress is not only one of the conditions of an agreement, but is in derogation of the rights and liberties of the citizen, and could not be claimed at common law, and its exercise at best, and under any circumstances, must be highly inconvenient, and create a serious interruption of the business of the bank, it should be construed rather strictly than liberally, and not draw with it, by implication, any thing not necessary for its exercise. The entire confidence, which the undersigned feel, in the liberality and magnanimity of their colleagues, so to conduct the inspection, as to cause the least possible inconvenience to the officers of the bank, could not authorise an acquiescence in a claim of right wholly to obstruct and bring to a stop the ordinary proceedings of the bank; in fact, to suspend the charter.

It was a claim to take the books out of the possession of the directors into the possession of the committee, to detain them as long as they pleased, to carry them whithersoever they pleased, (a right afterwards more distinctly asserted and attempted to be enforced), and to put them to whatever use the committee, in their uncontrolled discretion, might think proper. The undersigned again repeat, that it derogates in no degree from the objectionable character of this claim, to urge, that the books of the bank, thus taken from the possession of the directors, could have been put to no unworthy use by the committee of investigation. Such an idea could only suggest itself to be repudiated. It is sufficient objection that they would have been put out of the custody of those responsible to the stockholders for their safe keeping. The most improper use to which the books, or any other property of an individual or a corporation, can be put, is, to take them away from their rightful owner and lawful guardian. I may think I can take better care of my neighbor's property than he does himself, but I may not therefore take it from him, and administer it, even for his own good; far less may I take it, without warrant of law, in order to extract from its unlawful use, matter to be used, directly or by consequence, for his crimination. The books belong

to the stockholders of the bank, and are, by them, entrusted to the directors. They do not belong to the house of representatives, nor to any committee of that house; and a right to inspect them, nor to more involve a right to take possession of them, than a right to count the money in the vaults—involve a right to take possession of it. It is a case of frequent occurrence in the state banks, that committees are sent to visit them, and, among other things, to count the specie in their vaults. Should such a committee claim the right of going into the vaults alone, and counting the money, without the presence of the directors of the bank, or their authorised agents, it would be thought a very unwarrantable claim; and no personal confidence, reposed in the honor and probity of the committee, would render such a claim at all the less unwarrantable.

But the attempt to fortify the right of taking possession of the books, by urging that, in its exercise, it would not have been abused, wholly fails, in the apprehension of the undersigned, because they deem that the use which was avowedly to be made of them, was the greatest possible abuse. It was intended to employ them for the purpose of a general search, not only to ascertain, in the most general form, whether the charter of the bank had been violated, but also what corruptions, abuses and malpractices had taken place in its management; and this, by way of inquiry, among other things, whether a criminal prosecution, in legal form, should be instituted, (see resolution of committee of investigation of 7th of May), in which prosecution the directors, called to submit the books, would have been the party implicated.

The undersigned believe, that, in a land of constitutional liberty and law, it can need but little argument to show that a claim, on the part of a committee of either house of congress, acting in virtue of the general parliamentary power of inquiry, to demand, as a matter of right, the production, and to take possession of, the books and papers belonging to an individual or a corporation, in order to search therein for matter on which to found a criminal procedure against said individual or corporation, is a claim at once of the most unfounded and pernicious character. They confidently believe that no court of justice in the United States, or any other free country, has ever claimed such a power as a right, or attempted, in point of fact to execute it. They have never heard of any statute which gives this power to any court or other tribunal. And they would deem the assumption of such a power, by either house of congress, as an incident of the general powers of the house, and, resting on the *lex parlamentaria*, as unwarrantable, and in the highest degree dangerous.

3. The committee having withdrawn from the occupation of the room in the banking house, for the reason stated, adopted a resolution requiring the president and directors of the bank to submit certain of the books of the bank to the inspection of the committee, at their room in the North American hotel. (See doc. No. 25). With this requisition the committee of the directors declined complying, for reasons which appear in their resolutions adopted May the 3d. (Document No. 30). The undersigned regarded this resolution of the committee as open to the objections already urged against an *ex parte* inspection of the books, and to others peculiar to itself. By its terms, the president and directors are required to submit certain of their books to the inspection of the committee at the North American hotel. If, by the term *required*, nothing is to be understood but a *request*, with which the directors of the bank were at liberty to decline a compliance, they were of course free so to decline, and their doing so, argues no contempt of the house. But the majority of the committee evidently regarded, as in some way obligatory, the demand for the production, at their hotel, of certain of the books of the bank. Such a demand the subscribers deemed to be unauthorised. If valid, in reference to the books named in the requisition, it was of course valid as to all the books of the bank and all its branches; which, by parity of right, the committee might have required to be brought to their lodgings, and there detained and used at their pleasure. The question whether (supposing them brought to the committee's room at the North American hotel) they should there be submitted in person by the directors, or inspected *ex parte* by the committee of investigation, was not distinctly raised. But considering that the committee ceased to hold their meetings at the banking house, precisely because the directors insisted on their submitting the books for inspection in person, it appeared to the undersigned that, whether exercised or not, the right of an *ex parte* inspection was designed to be reserved, and that the inspection was required to be had at the private room of the committee, to enable the committee, if they deemed it expedient, to act on that reservation. All the objections, therefore, which lie to an *ex parte* inspection in the banking house, hold with equal force to an *ex parte* inspection out of it.

In addition to this, the requisition of the books, to be carried away from the banking house, appeared to the undersigned, for other reasons, of an inadmissible character. It was to take them away from the place where the important interests of the bank require them to be, and to be used. It was to expose them to the risks of transportation through the streets, and detention in private rooms, not constructed for the safe preservation of valuable papers. While it is the constant practice of individuals to deposit for safe keeping valuable books and papers in the vaults of the bank, the bank was required to remove its own books and papers, containing the evidence of pecuniary transactions to the amount of several hundreds of millions of dollars annually, to the committee's room in the North Ameri-

can hotel, a public house of great resort in Philadelphia. The undersigned opposed this requisition, from the belief that it was totally beyond the authority of the house; and they should have deeply regretted a compliance with it by the bank, which would have devolved on the committee the care and responsibility of a deposit so delicate and valuable.

By the 23d section of the charter, whenever a *scire facias* against the bank is sued out of the circuit court of Pennsylvania, it shall be "lawful for the court, in examining into the truth of the alleged violation of the charter, to require the production of such of the books of the bank as it may deem necessary to the ascertainment of the controverted facts." This is the only case in which the contract between the government and the stockholders authorises a requisition of the books; and this cautious authority, granted by law to one of the high judicial tribunals of the country, on an examination into an alleged violation of the charter, to require the production of the books which it may deem necessary to the ascertainment of controverted facts, sufficiently disproves by exclusion, the grant of any similar or additional power, of the same kind, to any other tribunal. That the house of representatives, independent of the charter has a right, by one of its committees, to require the production of any or all of the books of the bank at the lodgings of the said committee, or any where else, the undersigned cannot bring themselves to admit. At all events, as no authoritative form was given to the requisition, the directors, in respectfully declining to comply, are of course guilty of no contempt of the house.

4. After the directors of the bank had declined a compliance with the requisition of their books to be produced at the North American hotel, the committee of investigation, on the 5th of May, adopted a resolution (see document No. 32) that they would repair to the banking house, at one o'clock of that day, to inspect the books specified in the resolution of the 28th, and such others as they might require to be produced. A copy of this resolution was sent to the chairman of the committee of the directors, but reached him at his dwelling house, at a time when the committee of the directors was not in session, and a short time before the hour named in the resolution of the committee of investigation. He immediately informed the chairman of the committee of the house by letter, that it would be impracticable to reassemble the committee of the directors in season to submit the books for inspection that day, but that they would be reassembled without unnecessary delay. The committee, however, deemed it expedient, for the purpose of making up an issue, to repair to the banking house at the hour named, and then and there to call on the president and cashier of the bank to submit certain of their books to the committee. This accordingly took place, first in the large hall of the banking house, and then, by repetition, in the president's room. The president and cashier declined a compliance with this request, on the ground that they had, neither of them, the custody of nor control over the books and papers; the general custody of the same being with the board of directors, who had already apprised the committee of the house, that they had given them under the direction of a committee, to be by the committee submitted for inspection, and that they (the president and cashier) were therefore unable to comply with the demand of the committee of investigation. This demand, and the answer to it, were then reduced to writing, and will be found among the papers (Nos. 35, 36) appended to this report.

This proceeding was but a repetition, in a form a little varied, of the attempts before made to acquire the means of conducting the inspection of the books, apart from those to whom the directors had confided the duty of submitting them to the committee of the house of representatives. It was avowedly intended only to make up, in another form, the issue which it was supposed would be created between the bank and the committee of investigation, by the failure of the committee to obtain the books thus required of the president and cashier. It was known to the committee of the house that the directors, by an authentic act, of which a copy had been communicated, had placed the books at the disposal of the committee of the board, to be by them submitted in person for inspection. The said committee of the directors had twice positively made known their inability to depart from the instructions of the board in this respect. The committee of the house, were apprised that the books asked for were not, under the instructions of the board, at the voluntary disposal of the president and cashier, and the demand made of these officers by the committee in person, at the bank, was not of the nature of a legal process to compel their production, supposing them to have been *de facto* in the keeping of the said officers. For these considerations, the undersigned opposed the personal demand for the production of the books now under consideration, as a measure which must, for the reason stated, prove ineffectual, unnecessary for the making up of the desired issue, and open to the objection of wearing a vexatious appearance. To make a third application for a voluntary submission of the books in a manner which it was known was deemed inadmissible, at the same time that no resource was had to compulsory process, could not but have the effect, though certainly not so intended, of gratuitously throwing upon the directors the odium of repeated refusals of the requests of the committee of the house. However this may be, as the fact is undoubted that the directors had placed the books under the control of the committee of the board; as their right to do so is unquestionable; as the chairman of the committee of the directors had apprised the chairman of

the committee of investigation that the former could not be re-assembled at the very short notice given, but should be so, without unnecessary delay, to submit the books for inspection; as the books were not, in point of fact, in possession of the officers called on; the undersigned feel confident that, in respectfully declining to produce them, those officers were guilty of no contempt of the authority of the house.

5. But whatever difference of opinion might at the first have existed between the committee of the house and the committee of the directors as to the propriety of permitting the latter to retain the custody of the books, and submit them in person to the committee of the house, further consideration appears to have led the committee of the house to admit the reasonableness of this mode of conducting the investigation, so far at least as to acquiesce in it—a consideration which exonerates the directors from any charge of contempt in the course hitherto pursued by them. Accordingly, without waiving their right to require the production of the books at their lodgings, they repaired again to the banking house, to the room set apart for their accommodation, and required the production of certain of the books of the bank.

It will be observed that, up to this time, nothing had been arranged as to the mode of conducting the inspection beyond the single point, settled by the acquiescence of the committee of the house of representatives, that the books should be submitted in person by the committee of the directors. No objects of inquiry had been announced by the committee of investigation, further than they appear in the resolution of the house under which the committee was raised, and in the calls made for information, as to a great amount and variety of matters, as appears from the resolutions in the appendix. The correspondence which had taken place between the committees had been confined almost exclusively to the single ground of the course deemed proper to be pursued by the committee, to obtain possession of the books of the bank.

On the arrival of the committee at the banking house on the 7th of May, a call was made on the committee of the board, in pursuance of the following resolution:

May 7, 1834.

*Resolved*, That the committee will proceed to examine into the truth of the statement made by the government directors to the president of the United States and to congress, and for that purpose will this day call for the production, for inspection, of the minute books containing the proceedings of the directors of the bank, and the expense books and vouchers for expenses incurred.

As preliminary to a reply to this demand, the following paper was read by the chairman of the committee of the board:

May 7, 1834.

Whereas it appears, from the resolution of the house of representatives of the United States, appointing the committee of investigation, that two distinct inquiries were contemplated, one of them directed to ascertain whether the charter had been violated, and limited to the acts of the corporation; and the other so very general and indefinite, as to make it difficult, if not impossible, to say whether it has any limits at all, either as to the matters to be inquired into, or the mode of pursuing the inquiry; and whereas it appears, from calls made by the committee of investigation, that they have proposed a very wide range, embracing, among other things, an extensive examination of the acts, transactions, accounts and letters of individuals, and thus instituting a kind of general search, which is the more objectionable, because, if it have any purpose at all, it must be to criminate those individuals as well as the bank, and if it have not this purpose, it is without any assignable object, and would be an injurious invasion of private interests; and whereas, under these circumstances, it is the duty of the committee, by all lawful means, to protect the rights and sacred confidence entrusted to their keeping, and to yield nothing by consent which cannot be legally demanded from them; and whereas, after careful and anxious consideration, they are of opinion that the inquiry can only be rightfully extended to alleged violations of the charter, and this inquiry ought to be conducted according to some certain principles and rules: therefore,

*Resolved*, That the committee of investigation be respectfully required, when they ask for books and papers, to state specifically, in writing, the purposes for which they are proposed to be inspected, and, if it be to establish a violation of the charter, then to state specifically, in writing, what are the alleged or supposed violations of charter to which the evidence is alleged, or supposed to be applicable.

*Resolved*, That, in the opinion of this committee, it would very much conduce to the purposes of justice, as well as to the convenience of all concerned, if the committee of investigation would furnish a specification of all the charges intended to be inquired into; and proceed with them in order as stated.

The undersigned opposed the call above recited, made on the 7th May, for the production of books. They feel themselves, therefore, called upon to explain briefly the considerations which influenced them. The undersigned have already stated that they conceived the committee, of which they have the honor to be members, to be clothed with a twofold power, and to be competent, or rather required, by the order of the house, to act in a twofold capacity. They were a committee of visitation, appointed under the 23d section of the charter. As such, they were authorised to visit the bank, to inspect the books, and to examine into the proceedings of the bank, and report whether the charter had been violated. They were, also, a

committee of inquiry into the causes of the present commercial embarrassment and pecuniary distress, and into the corruptions, abuses and malpractices of the bank. In the former capacity, they had a right to inspect the books of the bank. They had this right by the charter, and would not have had it without the charter. In the latter capacity, they had no right to inspect the books, unless voluntarily submitted by the bank, because the charter does not give them that right for such purposes. The bank is obliged, by the charter, to submit its books to the inspection of a committee of visitation, authorised to report if the charter has been violated; and it is not bound to submit them to a committee of general inquest authorised to report on malpractices and corruptions. The right of inspection possessed by the committee, as a committee of visitation, cannot be used by it in its other capacity of a committee of general inquest and accusation, as an instrument of search after crimes and misdemeanors in general.

But the directors of the bank had been apprised, at the outset, by the resolution of the house of representatives of the 4th of April, that the committee was of a twofold character, as stated. That resolution distinctly enumerates, as objects of inquiry, not only violations of the charter, for which the books might be inspected, but various acts of mismanagement and corruption, for which they might not be inspected, unless voluntarily offered for that purpose. The committee of investigation had addressed various calls, by way of resolution, to the committee of the directors, touching matters concerning which the charter does not require the bank to submit its books for inspection. The call of the 7th of May, on the last visit to the banking house, is for certain of the books of the bank, to enable the committee "to examine into the truth of the statement made by the government directors to the president of the United States and to congress." That statement embraces matters which neither are, nor are alleged to be, violations of the charter; and, consequently, in reference to which the directors are not required to submit their books for inspection.

Had it pleased the house of representatives to create two committees, one of visitation, under the twenty-third section of the charter, and one of general inquiry, under the power of the house to send for persons and papers, these two committees would not have been authorised to amalgamate nor interchange each other's functions. The committee of charter visitation would not have been authorised to engage in a general inquisition, nor would the committee of inquiry have been authorised to demand the books for inspection.

But to what avail has the charter limited the objects for which the books may be inspected, and protected the corporation, and those who transact business with it, from the annoyance and mischiefs of a general search, if a committee of visitation may be clothed with the functions of a committee of general inquiry; and, having got the books into their hands for one purpose authorised by the law, may use them for another purpose not authorised by law? It is plain that if this could be done, the limitation of the right of inspection would be illusory and worthless. In order to render the limitation efficient, the committee of the directors required of the committee of investigation to specify the objects for which they demanded the books. For some objects the demand of the books was according to law; for other objects, not being bound by law to yield them, the directors were at liberty to withhold them, or to submit them, according to their discretion. They, therefore, needed a specification, to enable them to discharge their duty under the charter, as well as to protect them in their rights; to enable them to distinguish, in the requisitions of the committee of investigation, how much was authoritative, under the statute commanding obedience; and how much, not being authoritative, they were at liberty to concede or to withhold.

There was the more reason in insisting on this right to make the limitation on the inspection of their books available, because, as has heretofore been observed, the inspection itself is in derogation of the natural rights of the citizen, who ought not, under any circumstances, to be obliged to criminate himself. It pleased the legislature, regarding the corporation as their own legal creation, to require them, when accused of violating the fundamental laws of their existence—the provisions of the charter—to submit their books to a committee authorised to report on that fact alone. But to transfer this limited right of inspection to other committees for general powers of inquisition, and for a general purpose of enforcing self-crimination, is illegal and inequitable. To do this by indirection: to clothe a committee of inquiry with the powers of a committee of visitation, and thus to acquire a right to open the books for one object, and then to inspect them for another, would be to attempt to accomplish an end in itself unauthorised, by means peculiarly unwarrantable.

For these considerations the undersigned regarded the directors as justified in requiring of the committee of the house a specification of the objects of their inquiry. The ground taken by the committee of the board is, as the house perceives, a ground of legal right, assumed by the directors, under the circumstances of the case. This is the third occasion on which the bank has been visited by committees of the house. In the year 1818, a committee was appointed to examine the affairs of the bank, then in disorder. The committee thus appointed was, by the terms of the resolution, directed to report whether the charter had been violated, and the resolution consisted mainly of a specification of alleged violations. In executing their trust, however, the committee extended their inquiries to

the general management of the bank, and examined its president, other officers, and directors, on oath. To this course of inquiry, the bank deemed it for its interest to submit. The undersigned are not aware that any resistance was made to the demands of the committee. On the contrary, their report closes with the observation, that "it is due to the officers of the bank at Philadelphia to state that every facility in their power was rendered in explaining the books and assisting the researches of the committee." In one instance, in which an individual, a director of one of the offices, charged with malpractices, refuses to testify, the committee observe, that they did not insist on his answering, and that they examined him chiefly to enable him, if he pleased, to exculpate himself. This committee did not confine their examinations to the officers of the bank. They examined the teller of the bank of North America, and perhaps other persons. This circumstance, and the others mentioned, sufficiently show that no question as to the extent of the powers of the committee was raised during the visitation; that the witnesses appeared voluntarily; that the bank deemed it for its interest to submit to the examination of the committee, in any form in which the committee thought proper to conduct it; and that consequently the whole investigation assumed the form of a parliamentary inquiry, conducted by the assent of the parties, and without any appeal to their rights.

The examination of 1832 assumed substantially the same character. The resolution, under which the committee was raised, consisted, as originally moved, of a large detail of alleged abuses, several of which imported no violation of the charter. The house adopted an amendment proposed to this resolution by a member from Massachusetts, (Mr. Adams), in the following terms: "Resolved, That a select committee be appointed to inspect the books and examine into the proceedings of the bank, and report thereon, and to report whether the provisions of the charter have been violated or not." This phraseology appears to have been derived from the commencing words of the report of the committee of 1818, which is in the same terms, and not from the resolution by which that committee was created, and which provides that a select committee be appointed, "to inspect the books and examine into the proceedings of the bank, and report whether the provisions of its charter have been violated or not, and particularly to report" as to several matters, all, or nearly all, of which were alleged violations of the charter. The amendment offered by the member from Massachusetts, (Mr. Adams), and adopted by the house, was offered on the ground that "the original resolution presented objects of inquiry not authorised by the charter of the bank, nor within the legitimate power of the house." But as it directed the committee to report generally on the proceedings of the bank, as well as on violations of the charter, it was considered by its mover, and by many of those who supported the amendment, as authorising an inquiry extending beyond violations of the charter. The right to constitute an inquiry of this kind was put upon the ground that the bank was applying for a recharter, and could not reasonably decline it. At that time, as in 1818, neither house of congress had assumed a hostile position to the bank. Its directors, as the event proved, felt that they could rely upon the national legislature to do them justice against any efforts which might be made to impeach their character or arraign their conduct. Applicants for a recharter, they felt that they could not with propriety object to any latitude of inquiry which might be demanded by a house of congress willing to grant a recharter, provided the result of the examination should be satisfactory. Accordingly, the resolution, as amended, was understood to extend, not merely to alleged violations of the charter, but to all alleged cases of official misconduct; and, on the arrival of the committee in Philadelphia, the directors of the bank, instead of placing themselves upon their rights, ordered the president of the institution to submit all its books and papers to the unconditional inspection of the committee, and to yield himself to an unreserved examination. The inquiry was pushed into every matter of alleged abuse, where it was supposed the bank was most vulnerable. Nothing was spared; nothing was held back. Books and papers were submitted, and personal examinations on oath endured, although avowedly for the purpose of finding out, if it existed, matter of inculpation against the directors. The materials thus collected were spread before congress and the people, and a majority of both houses of congress united in the passage of a bill for rechartering the bank.

The president declined giving effect to the will of congress, and the bill failed to become a law. The whole influence of the executive was exerted to the prejudice of the institution, and the voice of the administration press raised against it, with a concert and vehemence rarely equalled.

Doubts of the safety of the public deposits were now suggested, and these doubts received some sanction from the message of the president at the opening of the second session of the last congress. An executive agent was appointed to investigate that subject, and the committee of ways and means, of which a majority was composed of members friendly to the administration, engaged in the same inquiry. The agent and the committee reported in favor of the solvency of the bank, and the house of representatives, by a majority unexampled on such a question, resolved that the public deposits could be safely continued in the bank of the United States.

Notwithstanding this vote, the president took immediate measures to transfer the deposits to the state banks. The character of these measures is known to the house. The undersigned think themselves safe in saying that it was such as to

cause the directors of the bank the greatest possible inconvenience and anxiety. They were regarded as men guilty of the most criminal malpractices, and justly obnoxious to the severest treatment which it was in the power of the executive to inflict. To all that was officially done, was superadded an unbroken strain of denunciation from the government press, and threats of a purpose to break those branches of the bank which were supposed to be feeble. At length, without previous authentic notice, the deposits were removed, a short time before the assembling of congress. A majority of members had been elected to the house of representatives, in part previous to the adoption of this measure, who appeared disposed to sustain the president in the policy he had adopted. By this majority, resolutions were passed expressive of their opinion that the bank ought not to be rechartered, and that the deposits ought not to be restored. These resolutions were adopted after a protracted debate on the general merits of the controversy, in which, on the part of those who sustained the president, the most unwarrantable designs and the most corrupt practices were freely ascribed to those entrusted with the direction of the bank.

It was under these circumstances that the commission of inquiry into the affairs of the bank was instituted. As far as that inquiry was of a character in which the bank was, by the charter, bound to co-operate, by submitting its books for inspection, the directors have fully recognised their obligation to do so; but the undersigned confess they perceive nothing in the circumstances that preceded the inquiry which could furnish an inducement to the bank to go further than the law requires of them. By the executive government, and the majority of the house of congress, their case had been adjudged. The laws which the wisdom of two former congresses enacted for erecting United States' banks, and of which every department of the government, under every administration but the present, has recognised the validity, have been declared unconstitutional. The present inquiry was not needed to ascertain if the deposits should be removed; they were removed, they could safely be restored; the house that institutes it has resolved that they ought not to be restored. The secretary of the treasury is left, without the instructions of the house, to deposit the public funds in any other bank he may please to select, but the house of representatives has resolved that they ought not to be deposited in the bank of the United States. Although the last congress, by majorities of both houses, decided that the bank ought to be rechartered, and the next congress may be of the same opinion, the present house of representatives has resolved to the contrary, and, therefore, the inquiry was not needed to guide its judgment in the recharter of the bank. Various misdemeanors are imputed to those who direct the bank; but supposing their detection the object of the investigation, every principle of justice forbids a mode of inquiry, beginning and proceeding in self-crimination. The only other legitimate object which the undersigned can think of, is that of collecting information to guide the judgment of the house in the question of a new bank, to be established on the ruins of the present institution. The directors of the bank, in the opinion of the subscribers, may be safely expected, on all occasions, to do the duty of public spirited men to their country; but no principle of public duty fairly calls upon them to go further than the law requires them, in making themselves the subjects of a criminatory inquisition, with a view to build up an institution to discharge that public trust to which they have been declared unfaithful, by those instituting the inquiry.

It is also to be recollected that two years had scarcely elapsed since the former inquiry, on which the directors of the bank had not attempted to impose any limitations; and that inquiry had resulted so entirely to the satisfaction of the two houses, that they passed a bill for renewing the charter of the bank. It requires no words to show that such an examination must be highly inconvenient to the officers of the bank, and incommode them in the orderly discharge of their duties. Still graver inconvenience may be expected to result from the effect on the public mind, in reference to the bank, which may be produced by the recurrence of such visitations. In the progress of the controversy waged with the bank, a few new matters of detail may perhaps have been alleged against it since the report of the former committee, but many of the matters of general inculpation now brought forward are those sifted to the bottom by that committee, and none of them possess a novelty and importance, furnishing, in the judgment of the undersigned, an equitable ground for a new investigation. Is there to be no end to visitations? The house has the undoubted right to institute them as often as it pleases—every year, and every month; but if they are multiplied unreasonably, the directors of the bank, as it seems to the undersigned, are not to be blamed if at length they put themselves upon their rights, decline to become voluntary parties to these investigations, and submit to them only as far as the charter requires.

These considerations led the undersigned to the opinion that the committee of the directors of the bank were justified in the course adopted by them on this occasion. If, on a question of law so grave and delicate, the committee of the directors should have come to an erroneous conclusion, (which the undersigned, however, do not admit to be the case), it would seem an undue severity to consider and to treat such error in judgment as a contempt of the authority of the house.

6. This reflection leads the undersigned to a few observations on the various calls for copies or portions of the books, state-

ments, documents, abstracts and other papers, which, at different times, were made on the bank by resolutions of the committee. These resolutions were numerous, and covered a wide range of inquiry of the most miscellaneous character. A portion of them are believed to call for documents, in whole or in part, already communicated to congress, and published; another portion relating to matters which could not be stated without great labor of compilation, and a resort to sources of knowledge not necessarily nor officially in the possession of the bank. Some of the calls referred to matters with respect to which no desire of concealment could, on any hypothesis, be imputed to the bank; others related to concerns (as the undersigned will presently show) involving the highest confidence of individuals, and not to be divulged, except under legal compulsion, without the grossest breach of faith.

The answer of the committee of the directors to these requisitions was in the following terms:

*Resolved*, That the board do not feel themselves at liberty to comply with the requirement of the resolutions of the committee of investigation of the 29th ult. and 1st instant, and do not think they are bound to do so, inasmuch as, in respect to a part of the papers called for, the effect would be the same as the surrender of their books and papers to a secret and *ex parte* examination, which they have already refused to consent to; and as to the other part, they relate to matters over which the board have no control; and if they could overcome these objections, and had the power over all the papers, still it would be impossible for them to comply within any reasonable time, having ascertained, by a careful examination, that the copies and statements called for by the resolutions of the 29th ultimo, alone, would require the uninterrupted labor of two clerks for at least ten months, to make them out, and that the remaining resolutions, so far as they concern matters not beyond the reach of the board, would require great additional time, which they are not able exactly to compute, without causing, what they fear would be an inconvenient delay to the committee of investigation; and they take it for granted that it would no more comport with the views of the committee of investigation to wait till so distant a period, than it would with the rights of the bank, to have such a burden imposed upon it.

If the application of the committee of the house be regarded, according to its terms, as a mere request, it was of course competent to the directors respectfully to decline a compliance with it. It can be no contempt of the house, nor even matter of complaint or ground of prejudice, that any request, which is merely such, is respectfully declined by the party to which it is addressed. But the committee of the directors appear to have regarded it as a matter of duty, not to return a naked refusal to the requisition of the committee of investigation. The reasons of this refusal are stated, and they appear to the undersigned to be valid. Reference to the resolutions in the appendix will enable the house to judge of this matter. The reasons, as has been seen, are, that to comply with a part of these resolutions would be, in effect, to copy or abstract an essential part of some of the books of the bank, in order to their being made the subjects of a private and *ex parte* examination; a measure so much the more objectionable, as it would add the inconvenience of preparing the copy to all the other evils incident to such inspection. Another portion of the calls related to matters of fact, in no way appearing on the books of the bank, and not to be ascertained but from sources of information no more accessible to the directors than to any other individual. These objections were, of themselves, particularly the first, decisive. In addition to this, it appeared, from a careful examination, instituted for that purpose, that the answers to the first series of calls could not be prepared without the uninterrupted labor of two clerks for at least ten months.

The undersigned are unwilling to take up the time of the house by a particular examination of each of the resolutions, but they feel themselves required to express their opinion of a portion of them. They will refer first to those which call for information touching the transactions of members of congress with the bank of the United States, and the correspondence of members of congress with officers of the bank.

One of the resolutions alluded to is in the following terms:

*Resolved*, That the president and directors of the bank be requested to furnish the committee with copies of all correspondence between the president of the bank or any of its officers and members of congress, or of unanswered letters received from any one of them since the first day of July, 1832, touching the renewal of the charter of the bank, the removal or restoration of the public deposits, or touching the business transactions of such members with said bank."

Another of the resolutions alluded to is in the following terms:

*Resolved*, That the president and directors of the bank be requested to furnish this committee with a detailed statement of all loans made since the 1st of January, 1829, to individuals, who then were, who have been since, and who now are, members of congress, stating the amount of each loan, when the same was made, for what term the security was given, and the time when such security was received; and also the security which the bank now holds, and the amount now owing by any and each of such borrowers, or other person for the benefit of such borrowers, at the bank, or either of the branches; and stating, also, the particulars of any such loans, which have been protested, or which are now under protest, and the names of the parties to any such debts; also the names, if any, of any

such persons, whose notes have been renewed after the same had become due and not protested or renewed, with the names of individuals, parties to said renewals, whose notes were under protest at the time such renewals were made; and, also, whether such loans in each case were made by the directors or otherwise, and by what authority?"

The undersigned suppose it impossible to mistake the general purport of calls like these. From their minuteness of specification, they may be supposed to aim at particular individuals. Of any such reference the undersigned are without accurate knowledge; and nothing is further from their design than to impute to their respected colleagues the pursuit of any unparliamentary or improper object. They cheerfully concede to them what they claim for themselves, to have acted with a single eye to public duty, in their apprehension of it. But the undersigned are free to confess, that they regard the undeniable purport of resolutions like those repeated, as highly objectionable. They seem to them to convey a general insinuation out of place, above the region of the partisan press. The charge suggested is that of bribery and corruption, so common as to authorize a general search. This is a crime, unquestionably, which may, if sufficient grounds exist, be rightfully charged on any director of the bank, or member of congress; but which the undersigned regard as far too serious to be thus charged without such strong grounds of presumption. It is true that it might seem gratuitous, in the undersigned, to be over forward in repelling such a charge. In the existing division of parties, they and their political friends are not found on that side of the house which it was necessary for the bank to buy or bribe. The honorable and high-minded men who compose the majority in the house, politically attached to the administration, and opposed to the bank, do not need the aid of the undersigned to show the injustice of a general imputation upon their characters. But something unquestionably is due to the general reputation of the two houses of congress. If individuals are, on clear grounds, suspected of being thus corrupted; if the bank, on reasonable grounds, is suspected of this highest breach of privilege, let the individuals criminated be named; the charge be stated in form; the culprit brought to the bar of the house; and the guilty punished. But let not the whole body of both houses be involved in one indiscriminate and odious, because vague and anonymous delation.

As for the call for the correspondence of all members of congress with the bank for the last two years, and particularly for copies of all unanswered letters, the undersigned could not but regard it with painful feelings. Public life, already sufficiently discredited by the fierceness of party warfare, will cease to be a pursuit for those who have not lost all taste for the social charities, if the sanctuary of private intercourse and private correspondence is to be invaded at pleasure, and every letter, answered or unanswered, which may have been written by an individual who has the misfortune to be a member of congress, (for a great misfortune under such circumstances it would be), is subject to be brought up by the drag-net of a general search. It was declared by Mr. Dunning, in the famous case of Money and others against Leach, that "to ransack private studies, in order to search for evidence, and even without a previous charge on oath, is contrary to natural justice, as well as to the liberty of the subject. To search a man's private papers, *ad libitum*, and even without accusation, is an infringement of the natural rights of mankind." (3 Bur. 1762). It was not the least detestable of the cruel violations of justice and law which brought Sidney to the block, that he perished in consequence of the discovery of a manuscript political treatise, brought to light by a general search among the papers in his cabinet.

The undersigned perceive no more right in a committee of this house to call for the letters which may have been written by a member of congress to an officer of the bank, on the subject of a renewal of the charter, than to call for his letters to any other person on any other subject. Undoubtedly it is conceivable that such a letter might become legal evidence, in a process of attachment, for breach of privilege, and in that case might be called for and used. So might any letter in any criminal cause. It is conceivable that a man's letter to his wife or child might become legal evidence in a capital trial; and in that case, if it were in the possession of a third person, the court would compel its production. But the undersigned are of opinion that a general warrant to compel the production of all the letters which may have been written by a class of individuals for two years, in order to a search of the same, with a view to the institution of a criminal prosecution against the writers, or receivers, is now for the first time attempted to be made, in virtue of the authority of a parliamentary body.

It is one of the infirmities of our nature, that, in the ardent pursuit of ends, which, as individuals or members of a party, we think justifiable, we sometimes go far beyond the line of justice, as we should understand it in our own case. To those who, in the ardor of a protracted controversy, have become wrought up to the belief that the bank and all its offices are one great engine of corruption, and those who have defended its chartered rights and maintained its usefulness, in and out of congress, a band of mercenary stipendiaries, it may seem a very just and proper demand that the confidence of their private intercourse should be violated, their business transactions stigmatized with corruption before the world, and their private correspondence spread on the journals of a committee of the house, and, at their discretion, sent to the newspapers. But if, pausing a moment in the career of party, they will make the

case their own; suppose themselves at the mercy of those now in the minority, wielding against them the entire authority of the house, sending its committees to unlock their closets, and requiring the production of every letter they may have written on public affairs for years, they will probably form a new conception of the light in which the calls now under consideration are regarded by those against whom they were aimed, if any such there be.

The undersigned would make a reflection somewhat similar, in reference to the call for the amount of fees paid to counsel for legal advice given to the bank, and the accommodations received at the bank by editors and publishers of newspapers and periodical works. It will not be denied that there is an imputation of corruption in calls like these; for it cannot be pretended that, merely as a part of the business transactions of the bank, the sums which would fall under these heads, in any estimate, however extravagant, of their amount, could be of any interest to congress. Why, then, are they singled out? There is, of course, in collecting the vast amount of debt constantly falling due to the bank, and in carrying on its large concerns, continual need of legal advice and professional service. Is it disreputable to seek this advice and service, and, having received them, to pay for them? Is the profession of the law fairly obnoxious to the stigma, which the resolution implies, on those of its members who transact the business of the bank? Are mere partisan insinuations, fabricated with all the levity and cruelty of an unscrupulous press, sufficient ground for the virtual denunciation and proscription of a whole profession? The undersigned forbear to insist on the protection which the law gives to the intercourse of lawyer and client, and which, they believe, would protect the bank from this search into the relations which exist between it and counsel employed in transacting its business.

Nor do the undersigned think the profession of editors and publishers, of right, more obnoxious to the imputation of corruption, on the ground of business transactions with the bank. The nature of their business requires bank accommodation as much as any other. The undersigned do not perceive that they are more likely than any other class of citizens to be corruptly influenced by the accommodations they receive. If they were, it is doubtful, as matter of fact, whether, with an exclusive eye to the accommodations afforded by all the banks in the country, and to the influences under which they are dispensed, it would be a better calculation at the present day, to defend or to attack the bank of the United States. One thing is certain, that the editor who defends the bank of the United States may be considered free from the suspicion of having an eye to political patronage, a source of corruption, when abused, as powerful, to say the least, as the favor of a mere moneyed institution.

7. But the undersigned hasten to express their views on the last step which was taken by the committee towards the discharge of their duty; in many respects, the most important of all. On the 9th day of May, a copy of a process, somewhat of the character of a *subpœna duces tecum*, and which may be seen in the appendix, No. 47, addressed to B. S. Bonsall, marshal of the eastern district of Pennsylvania, was served upon Nicholas Biddle, president, Emanuel [Mantel] Eyre, Matthew Newkirk, John Sergeant, Charles Chauncey, John S. Henry, John R. Neff, Ambrose White, Daniel W. Cox, John Goddard, James C. Fisher, Lawrence Lewis, John Holmes and William Platt, directors of the bank of the United States, commanding the said Bonsall to summon them to be and appear before the committee of the house of representatives of the United States, appointed on the 4th day of April, 1834, in their chamber in the North American hotel, in the city of Philadelphia, and to bring with them the credit books of said bank, on the 10th day of May instant, at the hour of 12 M. then and there to testify touching the matters enumerated in the said resolution, and to submit said books to said committee for inspection.

The undersigned entertained, and still entertain, great doubts of the legality of this process. The inquiry alluded to in the process is, among other things, into "the abuses, corruptions, and malpractices of the bank," that is, the crimes and misdemeanors of its officers and directors; and the process just recited is intended to be a summons to a majority of the directors and the chief officer of the bank to appear and testify, as individuals, to the matters of that inquiry; that is, to their own crimes and misdemeanors, with a view, as the resolution of the committee expressed it, of inquiring "whether such prosecution (viz: a criminal prosecution) should be instituted." The undersigned have already argued at length, and attempted to show, that the power reserved in the charter, of sending a committee to inspect the books and examine the proceedings of the bank, and report whether its charter had been violated, conferred no right of compelling the production of the books out of the bank, and the appearance of the directors, to submit to an examination on oath as to their innocence or guilt, of the unspecified crimes and misdemeanors laid to their charge. In like manner the undersigned have expressed their decided conviction that the general power of inquiry possessed by the house can have no rightful extension to a case like this. It follows, by necessary consequence, that no process, having for its object to compel the directors to appear before the committee, and bring with them the books of the bank to be inspected, and to testify touching the matters of such an inquiry, could be legal. The object of the process was unauthorised by law.

Incident to this fatal objection to the process, is another not less so. A *subpœna duces tecum* is a process, not issuing to the

party criminated or implicated in the trial, or interested in the suit, but to a third person to appear and bring with him any paper in his possession, which may be lawfully used as evidence in the trial or suit, without prejudice to the person summoned, or his title. The process of the committee was intended to be addressed to those whose abuses, corruptions and malpractices were the subjects of inquiry; and the books they were ordered to bring with them, were to be used in their own crimination.

The form of the process, and its mode of service, we believed by the undersigned to be not less objectionable than its object, and equally fatal to its legal character; but on this topic they omit to dwell.

Notwithstanding the strong objections to its legality, the persons to whom it was addressed, individuals unsurpassed for probity, intelligence and weight of character in the community, treated its call, with the respect due to the house of representatives, obeyed its call, and appeared before the committee, at their chamber in the North American hotel. Their answer to the summons was communicated in writing, and appears among the documents as paper No. 48. They state therein, that they do not produce the books of the bank, because they are not in the custody of either of them, but in that of the board of directors. By the board, it will be recollected, the books had been confided to a committee of their number, to be by them submitted to the committee of investigation. If it were the purpose of the committee of the house to address their process to the party having the actual possession of the books, it would seem that the committee of the directors was that party delegated by the board, and recognized throughout the transaction as their agent, by the committee of the house. If, on the other hand, it were intended to address it to the party to whom the books ultimately belonged, it would seem that it should have gone to the corporation.

The written answer of the directors (after stating their ignorance, whether they should be called on to testify), expressed a purpose not to testify to the matters of the inquiry, in consideration of the character of the inquiry, and their own relation to it, as corporators and directors. But as none of the persons summoned were required by the committee to testify, no actual refusal to testify took place, and consequently no contempt (supposing an actual refusal would have been such contempt, which the undersigned do not admit) was committed by the directors against the authority of the house.

The undersigned are aware that, supposing the process valid in its object, substance, form and service, it was matter of indifference, as far as the question of right is concerned, what book or books the directors were required by it to produce. But they cannot but express the opinion, that a demand for the credit books of the bank, showing the accounts of every individual with the institution, was the last which, in a tender regard to the rights and feelings of third persons, it would have been expedient to make.

So sacred is the confidence of individuals dealing with the bank, that the charter exempts the state of their accounts from the weekly inspection which the secretary of the treasury is authorised to make; and the by-laws, which have been in force from the foundation of the institution, forbid a director, without special authority, to inspect the cash account of individuals. To require the directors to take from the banking house, convey through the public streets, and open for inspection in the chamber of a hotel, the book containing the account of every individual with the bank, would seem to indicate the purpose of putting to the severest test the power of the house, the obedience of the bank, and the patience of innocent third parties, whose vital interests might be jeopardied in this procedure.

The previous demands of the committee, having assumed the form of requests, could only be objected to in their spirit and tendency. There is nothing which a committee authorised to inquire, may not request, because there is no request, which, as such, may not be refused. The law knows nothing of requests; their refusal puts no one in contempt. But the process now under consideration assumes the form of a legal and compulsory instrument, authenticated by the seal of the house, and the signature of the clerk. Obedience to such an instrument, (if it is lawfully issued), can be compelled against all obstacles and opponents, and those who maintain its legality, must maintain the power of enforcing it. How shall it be enforced, in case it be disobeyed and resisted? Shall the sergeant-at-arms be sent to attach the directors? Shall they be brought prisoners to the seat of government, and the bar of the house, attached for refusing to produce and bring their books to the North American hotel, and for avowing a purpose, (which was not put to the test), not to submit to an examination on oath, touching their own crimes and misdemeanors? A satisfactory answer; consonant to reason and justice, and grounded on the constitution and laws of the United States, must be found to this question, by all persons who maintain the validity of the process issued by the committee. That such a process is no *subpœna duces tecum*, is obvious, from the fact that it is addressed to the parties implicated. It is no process in chancery, requiring a party to produce his books and papers, for its avowed object is to inquire whether "a criminal prosecution shall be instituted;" an object for which the chancellor will require no man to produce his papers. Unlike any of the processes known to the humane jurisdiction of the present day, it is, in their most odious features, identical with the general warrants of the dark ages of English liberty, and the writs of assistance which

first kindled the spirit of resistance in the American colonies. It is a compulsory process, to compel the good people of the United States to produce their books and papers, and submit them to general search in proof of crimes, not charged, but suspected; to be enforced by attachment, imprisonment and infinite distress;—a search of books, a search of papers, a search of accounts, a search of letters, and an examination on oath of the persons implicated, touching the matters whereof they are suspected. In what does such a warrant differ from those which were issued under the first Charles and the second James, for which, among other things, Scroggs was impeached; and which the house of commons, in 1763, after full argument, solemnly resolved to be illegal? Illegal for a court of king's bench in 1684, illegal in the house of commons in 1763, the undersigned are slow to believe that an American house of representatives, in 1834, will be found to assert, or an American citizen to admit, their legality.

In conclusion, the undersigned would observe, that neither of them gave his voice for the resolution creating the committee, nor deemed the inquiry, in many of its objects, necessary or proper. They hope it is not improper to add the expression of the opinion, that, had the attention of the house been particularly drawn in debate to the terms of the resolution, it would have received some modification; and that it is owing to its passage under the operation of the previous question, and without any examination of its details, that it received, in its present form, the sanction of the house. Being, however, placed on the committee, the undersigned were desirous of discharging their duty as members of it, under the order of the house, to the best of their ability, and according to their understanding of the rights of the corporation visited—the powers of the house, and the principles of justice. They were desirous of taking up the various matters of inquiry enumerated in the resolution, viz: the causes of the distress, the alleged violations of the charter, and the imputed corruptions of the bank, one by one; of considering them in the order in which they are arranged by the house; of investigating each according to its nature; of inspecting the books and examining the proceedings of the bank according to the charter, that is, in reference to all objects which, by the charter, are properly subjects of such inspection and examination; or in regard to which the directors might voluntarily submit them for inspection; and of inquiring into the other matters referred to them, as far as, on consideration, they should deem the committee competent to do so.

Of all these objects, the undersigned confess that they regarded that which stands foremost in the resolution as vastly the most important; an inquiry into the causes of the present distress. It was their firm persuasion that the country demanded this inquiry of congress. A number of memorials and of subscribers to them, greater by far than have at any former period come before congress, invoked the aid of the national legislature to relieve them from a state of unexampled distress. An embarrassment unusually extensive and severe, and not yet essentially alleviated, demanded an inquiry into its causes. It was alleged, on the one hand, to be wantonly produced by the bank; and, on the other, to be the unavoidable consequence of the financial policy pursued by the executive. The undersigned wished to make this first, as it was infinitely the most important object of their investigations; to receive the testimony of enlightened merchants and men of business, in the intelligent community to which they were sent, (who might be willing to appear before them), as to the extent and causes of the distress; to receive from the bank those statements of its affairs, which they are well persuaded it would most cheerfully have afforded, and which would have illustrated its whole course in the difficult and trying position into which it has been thrown; and from all other persons, on whom the committee would have had a right to call, their testimony as to the manner in which this measure of the executive has been taken up and carried on. Such an examination, the undersigned believe, would have been useful to congress, satisfactory to the people, and powerfully efficient in leading to the removal of the heavy burdens now lying on them. This object first accomplished, as it was the first in the precept of the house, the undersigned would have proceeded to consider the violations of the charter; and as the resolution of the house does not confine the inquiry to those violations with which the bank has been charged, they would have deemed themselves authorised to extend their researches to those of which the bank complains, particularly to the removal of the deposits for reasons not deemed satisfactory by congress, as now appears of record on the journal of one of the houses of congress. If, after these inquiries had been gone through, it had still appeared, on considering the other matters comprehended in the resolution, that they required or admitted further investigation, the undersigned would cheerfully have co-operated in the work, resorting to every source of information, legally available, as far as the same could, by the charter, be required from the bank, or legally received or compelled from any other quarter. If, in the progress of such an investigation, so conducted, disclosures had been made of matter requiring or authorising any further procedure on the part of the house, the undersigned would not have been behind the most zealous of their associates, in denouncing it to the house and the country. A different view of their duty was, however, taken by their colleagues, resulting in a series of measures, from which the undersigned unfortunately found themselves obliged to dissent.

But while there was a form, in which the undersigned were prepared to meet ever part of the resolution under which the

committee was raised—the form most consonant to the wants and wishes of the country, (to which all other matters of party crimination are insignificant compared with the great question of the causes, the just responsibility, and the remedies of the present sore distress)—the form unquestionably in which the resolution was viewed by one considerable class of those who voted for it in the house—the undersigned freely admit, that, in the range and character proposed to be given to the inquiry by their colleagues, the majority of the committee, the purpose of the majority of the house was not mistaken. They think that no caudid person, contemplating all the circumstances of the case, from the first demonstrations of a policy on the part of the executive hostile to the bank, down to the recent measures, in support of that policy in the house of representatives, will deny that its object was the overthrow of the institution, and the impeachment of its directors before the bar of public opinion, if not before that of the judicial tribunals of the land, of gross malpractices, corruptions and frauds; and that the inquiry to be conducted by the committee, of which the undersigned composed the minority, was proposed to be one of the measures to promote that end. So far from this being denied, the undersigned understand it to be not only admitted, but claimed as a merit, on the part of the friends of the present administration of the national government.

How was it natural that such an inquiry should be met by the bank, or rather by those who have been intrusted by the stockholders with its direction? The bank is a legal abstraction. To charge the bank with bribery and corruption, is to use words which have no accurate meaning, true or false. The party implicated is the directory and officers; men of character; men known to the community as some of its most useful members and brightest ornaments; men of probity, unimpeached in private life. Some of them are merchants, whose word, in the most important transactions, would be deemed as good as their bond; and others are professional characters, who adorn the highest tribunals of the country. These are the party implicated—charged with a most cruel and perfidious design to bring universal distress upon the country, for the sake of party selfish ends; and, to promote these ends, further charged with corrupting the conductors of the press, corrupting the people in the exercise of their elective franchise, and corrupting the members of congress. Are honest and honorable men, charged with these odious misdemeanors, to submit to the charge without a murmur; to acknowledge the reasonableness of making it; the expediency of investigating it, all vague and unspecified as it is; the reality of a *prima facie* case against them? Does conscious innocence require them to admit that there is ground of suspicion? Does the strong and indignant feeling that their characters are outraged, while their rights are invaded, call upon them voluntarily to take the culprit's place, and endure the ignominy of what they deem an uncalled for and a vexatious inquisition? Or is it not rather the natural dictate of proud and conscious innocence to place themselves upon their rights, beneath the agis of the law? If I go to my neighbor, as honest a man as myself, and say, "you are a swindler and a knave," shall he meekly ask me to enter his house, lay open his ledger and his letter book, and invite me to collect the materials out of which I may prejudice the public against him? The directors of the bank are citizens, as honest and as virtuous as any of those, in office or out of it, high or low, who charge them with corruption. A good name is as dear to them as to their accusers. Their stake in the welfare of the country is as great. The success with which they have conducted affairs of the great institution intrusted to their care, is not matter of opinion; it is notorious to all the world. At this moment, notwithstanding the fearful warfare waged against them by almost every branch of the government of their own country, their credit is as good at London and Paris, as that of the bank of England or France. At this moment, in the remotest east, in the markets of China, where the silver coin of the country, from the public mint, is undervalued, the paper of the bank of the United States is an acceptable currency. In the midst of its career of usefulness, it has been, unfortunately for the country, drawn into the field of political controversy; its directors and officers vilified by name, their most laudable measures misrepresented, their most innocent acts calumniated, and their slightest errors of judgment tortured into corruptions and crimes; above all, the severe distress, with which the country has been visited, for the sake of carrying on this warfare, has been cruelly imputed to the wanton action of the bank, though struggling for its own existence against the most formidable efforts to crush it. The calm and dignified tone which characterises the communications of the committee of directors, under circumstances like these, is, to the undersigned, a satisfactory indication of their integrity and conscious purity. They have placed themselves where, as American citizens, conscious of their rights, of their injuries, and of their innocence, they had a right to place themselves, under the protection of the law.

Firmly believing that they are innocent of the crimes and corruptions with which they have been charged, and that, if guilty, they ought not to be compelled to criminate themselves, the undersigned are clearly of opinion that the directors of the bank have been guilty of no contempt of the authority of this house, in having respectfully declined to submit their books for inspection, except as required by the charter. All which is respectfully submitted by

EDWARD EVERETT,

WILLIAM W. ELLSWORTH.

House of representatives, 22d May, 1834.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ We have the pleasure to present our readers with a supplement to the present number, by means of which we are enabled not only to insert all the documents attached to the reports of the committee for investigating the affairs of the bank of the United States, but a large quantity of other matter—some of which had accumulated in type, having been several times set aside to make room for things that could not be deferred. The miscellaneous articles, (that the papers concerning the bank may have regular succession when the volume is bound) commence in page 241.

## APPENDIX

TO THE REPORT OF THE MINORITY OF THE BANK COMMITTEE.  
No. 1.

*Philadelphia, North American hotel, April 23, 1834.*

SIR: I have been directed by the committee appointed to investigate the affairs of the bank of the United States, to enclose to you the accompanying copy of a resolution of the house of representatives of the United States, and to inform you that the committee will be prepared to visit the bank of the United States to-morrow, at any hour that will be agreeable to you to receive them, to commence the discharge of the duties assigned them. I have the honor to be, very respectfully, your obedient servant,

FRANCIS THOMAS,  
*chairman committee of investigation.*

*N. Biddle, esq. president bank of the U. States.*

Resolved, That for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the United States, in sundry memorials, which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated, and also what corruptions and abuses have existed in its management; whether it has used its corporate power, or money, to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure, a select committee be appointed to inspect the books, and examine into the proceedings of the said bank, who shall report whether the provisions of the charter have been violated or not; and also, what abuses, corruptions or mal-practices have existed in the management of said bank; and that the said committee be authorised to send for persons and papers, and to summon and examine witnesses on oath, and to examine into the affairs of the said bank and branches. And they are further authorised to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable.

*Bank of the United States, April 23, 1834.*

SIR: I have had the honor of receiving your letter of this day's date with a copy of the resolution of the house of representatives of the United States, passed on the 4th instant.

I shall forthwith call a special meeting of the board of directors of the bank at nine o'clock to-morrow morning, when these papers shall be submitted to them, after which a communication on the subject shall be made to you.

In the mean time, I have the honor to be, very respectfully, yours,

N. RIDDLE, *president.*

Hon. Francis Thomas, *chairman committee of investigation.*

No. 2.

*Bank of the United States, April 24, 1834.*

SIR: I am directed by a committee of the directors of the bank of the United States, to send you the enclosed copy of a resolution adopted this morning by the board, at a special meeting, convened in consequence of your communication of yesterday to the president, and to inform you that the committee will immediately direct the necessary arrangements to be made for the accommodation of the committee of the house of representatives of the United States, and will attend at the bank to receive them at 11 o'clock to-morrow morning.

I have the honor to be, your most obedient servant,

JOHN SERGEANT, *chairman.*

Hon. Francis Thomas, *chairman committee of investigation.*

Resolved, That a committee of seven members of the board be appointed to receive the committee of the house of representatives of the United States and to offer for their inspection such books and papers of the bank as may be necessary to exhibit the proceedings of the corporation according to the requirement of the charter.

The following directors were then appointed to compose the said committee:

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Mr. Sergeant, Mr. Eyre, Mr. Lewis, Mr. Neff, Mr. Chauncey, Mr. Cox, Mr. Henry.

No. 3.

*Friday, April 25, 1834.*

Mr. Sergeant offered to the committee of the house of representatives the assistance of the committee of the bank, in giving every facility to the prosecution of their inquiry. Mr. Thomas then presented to the committee of the bank the following:

Ordered, That the president of the bank of the United States be requested to furnish the committee with a list of the books of the bank, with an explanation of the purposes for which each is designed, and the names of the clerks to whose care and custody they are respectively committed; and also, a copy of the by-laws now in force in the bank, and of the by-laws in force prior to the first Monday of December, 1829.

No. 4.

*Bank of the United States, April 25, 1834.*

SIR: I have had the honor to send you, agreeably to your request, "a list of the books of the bank, with an explanation of the purposes for which each is designed."

In regard to the remaining part of the inquiry, "the names of the clerks to whose care and custody they are respectively committed," I am instructed by the committee of the board to say that these books are not understood to be in the care and custody of the clerks, but in the general custody of the board. The names of the clerks who make entries in them, and for that purpose have possession of them during the hours of business, are added to the list of the books.

I also enclose "a copy of the by-laws now in force in the bank, and of the by-laws in force prior to the first Monday of December, 1829."

I have the honor to be, very respectfully, your obedient servant;

JOHN SERGEANT, *chairman.*

Hon. Francis Thomas, *chairman of committee of investigation.*

No. 5.

*Bank of the United States, April 26, 1834.*

SIR: In compliance with the direction of the committee of investigation, I have the honor to inclose to you the accompanying resolutions. I am, very respectfully, your obedient servant,

FRANCIS THOMAS, *chairman.*

To John Sergeant, *esq. chairman*

*of the committee of directors of the bank U. States.*

No. 6.

[Enclosed in the foregoing.]

Resolved, That the proceedings, investigations, and examinations of the committee of the books, papers, and affairs of the bank, shall be confidential, unless otherwise ordered by the committee.

Resolved, That the investigation of this committee into the affairs, management and concerns of the bank of the United States, shall be conducted without the presence of any person who is not required, or invited to attend the examination of this committee.

Resolved, That the chairman communicate a copy of the foregoing resolutions to the committee appointed by the directors of the bank of the United States to receive the committee of the house of representatives.

A true copy:

RICHARD RUSH;

*secretary to the committee.*

No. 7.

*Bank of the United States, April 26, 1834.*

SIR: I have received, and have laid before the committee of the directors of the bank of the United States, your note of this date, and the enclosed copy of the resolutions of the committee of the house of representatives of the United States. I am directed by the committee to inform you that your communication will be laid before the board at a special meeting convened for the purpose, and that we will be prepared to make known to you the decision of the board at your next meeting, on Monday, at 11 o'clock.

I have the honor to be your most obedient servant,

JOHN SERGEANT, *chairman.*

To the hon. Francis Thomas, *chairman*  
*of the committee of investigation of the house of reps.*

No. 8.

*Bank of the United States, April 28, 1834.*

SIR: In conformity to my communication of the 26th instant, your note of that date, and the resolutions enclosed in it, have been laid before the board of directors of the bank of the United States at a special meeting convened for the purpose. I have now the honor to enclose you a copy of the resolutions of the board, and to be, with great respect, your most obedient servant,

JOHN SERGEANT, *chairman.*

To the hon. Francis Thomas, *chairman*  
*of the committee of the house of representatives U. States.*

1. Resolved, That the board recognise the right of the committee of the house of representatives of the United States to inspect the books and to examine into the proceedings of the

bank of the United States, according to the provisions of the charter; and, to enable the committee to exercise this right, according to the order of the house of representatives, the board have endeavored to do all that could manifest their respect for the committee, or contribute to the convenient performance of its duty, by offering a room in the banking house for its accommodation, and appointing a committee of directors to exhibit the books and papers according to the requirement of the charter: but the board cannot, consistently with their sense of duty to the bank, and of the obligations of the trust committed to them, consent to give up the custody and possession of the books and papers of the bank, nor permit them to be examined but in the presence of the committee appointed by the board.

2. *Resolved*, That considering the nature of the proceedings, which resulted in the resolution for the appointment of the committee of the house of representatives of the United States, to examine the bank of the United States, and considering the very grave and accusatory nature of the inquiries directed to be made by that resolution, as well in their hearing upon the bank, as upon the individual citizens entrusted with its administration, the board cannot but deem it due to the demands of common justice that the institution, and the individuals, should have the opportunity to be present, by their representatives appointed for that purpose, at all examinations to be made by the committee touching their character and conduct, whether the same be of books and papers, or of witnesses. It is most manifest to the board that, for the purpose of arriving at the truth, examination in the presence of the parties would be the natural and effectual mode of proceeding; and the board, being confident that examinations so conducted would result in a manner creditable to the bank, have promptly and cheerfully acceded to the amplest investigation: but, if they are to understand the resolutions of the committee of the house of representatives of the United States, of the 26th instant, as announcing an intention to pursue a different course, they do solemnly protest against the same, being fully satisfied that secret and partial examinations are unjust and oppressive, and contrary to common right, and never to be resorted to but in cases of necessity, of which the present cannot, in the opinion of the board, be said to be one.

3. *Resolved*, That the committee, appointed on the 24th instant, be instructed to furnish a certified copy of the foregoing resolutions to the committee of the house of representatives of the United States.

No. 9.

*Bank of the United States, April 28, 1834.*

Sir: I have been directed by the committee of investigation to acknowledge the receipt of your letter of the 28th instant, and to inform you that I shall be authorized to reply to it by tomorrow at 9 o'clock A. M.

I am, very respectfully, your obedient servant,  
FRANCIS THOMAS.

John Sergeant, esq. chairman  
of the committee of directors of the U. S. bank.

No. 10.

*Committee room, April 29, 1834.*

Sir: I have the honor to enclose to you the accompanying copies of resolutions which have been adopted to-day by the committee of investigation, in reply to your communication of 28th instant.

With great respect, I am your obedient servant,  
FRANCIS THOMAS.

To John Sergeant, esq. chairman  
of the committee of directors of the U. S. bank.

No. 11.

[Enclosed in the foregoing.]

*Committee room, April 29, 1834.*

At a meeting of the committee of investigation of the house of representatives, on motion,

1. *Resolved*, That this committee duly appreciate the disposition manifested by the directors of the bank of the United States, in offering accommodations in their banking house for its use, as contained in the communication of the committee of the board of directors of the 24th instant, that this committee accepted that offer under the belief that it would promote as well its convenience as that of the officers of the bank, and that the room thus offered would be exclusively for its occupation, and that of those whose attendance might be, by the committee, required or assented to, during the business hours of the bank, and that the committee is willing still so to consider it.

2. *Resolved*, That this committee, charged with important duties, and acting under its responsibility to the house of representatives, and the laws of the United States, claims the right, to be exercised at its discretion, to compel the production of the books and papers of the bank for inspection, and to inspect the same in such mode as to the committee may seem best calculated to promote the objects of its inquiry. But this committee has not determined that it will become necessary to perform that duty, out of the presence of those charged by the directors to submit the same to the inspection of the committee.

3. *Resolved*, That this committee cannot recognize the right of the board of directors to regard the resolution of the house of representatives as accusatory in its character, or this committee as charged with the duty of criminating the bank or its officers. That, in the resolution of the 26th instant, the committee intended to assert its rights to control its own proceed-

ings, and not to indicate a purpose of making a secret and partial examination, or of practising injustice or oppression. That the committee cannot but regard the expression of such an apprehension by the board of directors as unjust to its members, and unauthorized by the resolution.

4. *Resolved*, That this committee, actuated by a sense of justice, will unhesitatingly afford to every person, whose character or conduct may seem to be affected in the progress of their investigations, a full opportunity of explanation and defence, but claim the right of determining the time and mode of giving such privilege; and, therefore, cannot recognize the right of the directors to prescribe the course to be pursued by this committee in making its examinations.

5. *Resolved*, That a copy of the foregoing resolutions be communicated by the chairman to the committee of the directors of the bank.

No. 12.

*Bank of the United States, April 29, 1834.*

Sir: I have the honor to acknowledge your note of this date, and the copy, enclosed in it, of the resolutions adopted by the committee of the house of representatives of the United States. They have been laid before the committee of the board of directors, and I am directed by them to make the following reply:

The committee would, in the first place, respectfully state that it was not their intention, nor the intention of the board, to allege that the committee of investigation was charged with the duty of criminating the bank or officers. They meant only to say, as will be seen by reference to the resolution, that the inquiries directed to be made were in their nature accusatory; and so the committee of the board are still obliged to consider them.

The committee would further respectfully state that it was not the intention of the board to impute to the committee of investigation a purpose of making a secret and partial examination, or of practising injustice or oppression. They simply intended to assert what they believe to be beyond all dispute or doubt, that secret and partial examinations into matters which have a bearing upon the character and conduct of individuals are unavoidably unjust and oppressive.

And, finally, the committee would most respectfully disclaim all intention to control in any manner the proceedings of the committee of investigation, or to prescribe to it any course whatever. The board are very sensible they have neither the power nor the right to do so. The only purpose of the board was to exhibit respectfully to the committee of investigation their views of their own rights upon the two points presented by the resolutions of the committee of investigation of the 26th inst. from which views they have seen no reason to depart.

The committee are very happy to perceive that, as yet, there is no practical difference between the views of the board and those entertained by the committee of investigation, as to the mode of proceeding to be adopted, inasmuch as the resolutions you have done us the honor to send me, inform us that the committee of investigation have not come to any decision, and we, therefore, may indulge a hope that, seeing the reasonableness and justice of the views respectfully suggested by the board, the committee of investigation, when they come to decide, will not differ from the board in opinion.

I am directed, in conclusion, respectfully to request, when the committee of investigation shall have decided upon the mode of proceeding they will adopt, they will be good enough to communicate their decision, that the board may be able to take such measures as it may seem to require. In the mean time, I beg you to be assured of the continued disposition of the board and the committee to contribute all that may be in their power to promote the accommodation and convenience of the committee of investigation, as well as of the great respect of sir, your most obedient servant,

JOHN SERGEANT, chairman.

To the hon. Francis Thomas, chairman  
of the committee of the house of representatives, U. S.

No. 13.

*Committee room, April 29, 1834.*

Sir: In compliance with the directions of the committee of investigation, I have the honor to enclose to you the accompanying resolutions.

With high respect, I am your obedient servant,  
FRANCIS THOMAS, chairman.

To John Sergeant, esq. chairman  
of the committee of directors of the bank of the U. S.

14.

[Enclosed in the foregoing.]

*Resolved*, That the president, directors and company of the bank of the United States be requested to furnish the committee with a statement of the outstanding certificates of the public debt, for which the bank holds the money in deposit to redeem, under the designation of "redemption of public debt," showing the names and residence of the holders of such outstanding certificates; the amount of each, and the aggregate of the whole; the class of loans to which they belong respectively, and whether the bank has paid interest to any of the holders of the same, since they fell due and payable.

A true copy: RICHARD RUSH, secretary.

No. 15.

*Resolved*, That the president directors and company of the bank of the United States, be requested to furnish the committee with the entire correspondence between said bank, or any of its agents, and the secretary of the treasury and Baring,

Brothers and company, and Hottinguer and company, touching the bill of exchange drawn by the treasury department on the French government, on the 7th of February, 1833; also copies of all accounts and accounts current with said bank, from either Baring, Brothers and company, or Hottinguer and company, between the first of January and July, 1833.

A true copy: RICHARD RUSH, secretary.  
No. 16.

Resolved, That the president, directors and company of the bank of the United States, be requested to furnish the committee with a list of the names and residences of all the persons who surrendered their certificates of three per cent. stock, and received a credit on the books of the bank therefor; the time when, and amount placed at the credit of each; the aggregate amount thus surrendered, and the dates at which the same were paid by the bank to the proprietors; the names of the agents employed by the bank in any negotiations or arrangements to postpone the payment of said stocks; the compensation allowed to each agent; and the amount of expenses allowed to each in addition to compensation.

A true copy: RICHARD RUSH, secretary.  
No. 17.

Resolved, That the president, directors and company of the bank of the United States be requested to furnish the committee with a statement, showing the names of all special agents employed by the bank since its establishment, the objects of such agencies, the compensation allowed to each, the services rendered by each, the duration of such agencies, the expenses allowed to each in addition to compensation, and whether either of such agents was either a member of congress, state legislature, or officer of the general government, at the time of employment.

A true copy: RICHARD RUSH, secretary.  
No. 18.

Resolved, That the president and directors of the bank of the United States be requested to furnish this committee with the following statements:

1st. A statement showing the amount of public money on deposit in the bank and its branches respectively, to the credit of the treasurer, and other officers of the United States, in each month, from April, 1832, to April, 1834, inclusive.

2d. A statement showing the number of votes given at each election for directors of the parent bank since December, 1832; showing, also, what number of votes were given in person by the stockholders, and what number by proxy, and by whom such proxies were held, and a list of the directors elected at each election.

3d. A statement showing the amount of gold or silver coin which has been purchased or sold by the bank, the names of the persons to whom such sales and from whom such purchases have been made, and the gross amount of profit derived by the bank therefrom; and also showing the most usual and highest prices received for each of the following descriptions of coin, and whether the same have been sold in the United States, or in foreign countries.

1. Gold eagles, halves and quarters of the United States coinage.

2. Silver dollars, halves and quarters of the same coinage.

3. Spanish doubloons and their parts.

4. Patriot do. do.

5. Spanish milled, Mexican, Peruvian and Chillan dollars.

6. English guineas and sovereigns.

7. Louisd'ors of France and five-frank pieces.

8. Half joes of Portugal or Brazil.

4th. A statement showing the amount of gold or silver coin which has been drawn, by order of the parent bank, from each of its western, southwestern and southern offices; and also the amount of specie which has been sent thereto by the same authority.

5th. A statement showing the names of all persons, alphabetically arranged, who were indebted to the parent bank on the first Monday of December, 1829; showing, also, whether by authority from the board of Directors, the exchange committee, the president, or other officer of the bank, each loan thus made, the residence of each borrower or debtor, the terms on which each loan was made, and whether each debtor was liable as endorser or drawer, principal or security.

6th. Statement, similar to the foregoing, of the debts due to the parent bank on the 1st day of June, 1832, and on the 28th day of April, 1834.

7th. A statement showing the amount of foreign or domestic gold or silver coin, or bullion, which has been exported by the bank, for each and every month, since the 1st of March, 1832, and the profits derived by the bank from such exportation; and also the amount of specie imported by the bank within the same period.

8th. A statement showing the capital of each of the offices or branches of the bank, with a tabular statement showing the liabilities and resources of each branch or office, on the 1st of each and every month, from March, 1832, to April, 1834, inclusive.

9th. A statement showing the amount of domestic bills possessed by each of the branches and officers of the bank on the first day of each month, from March, 1832, to April, 1834, inclusive, showing also the places at which the same were purchased, and the time when and places where the same were or will be payable.

10th. A statement showing the amount of money which has been at any time loaned by the bank on pledges of stock as col-

lateral security, the kind and description of stocks thus pledged, the date and terms of each loan, the names of the borrowers, with the amount loaned to each, and the amount now due by such borrowers respectively.

11th. A statement showing the names of the stockholders of the bank, with the number of shares held by each, the residence of each, their official stations, if in office; and showing also the aggregate number and value of the shares held by foreigners and citizens of the United States respectively.

A true copy: RICHARD RUSH.

No. 19.

Committee room, (North American hotel), April 30, 1834.

SIR: I have the honor to acknowledge the receipt of your letter of the 29th instant, and, having submitted it to the consideration of the committee of investigation, have been authorised to present to you the following reply:

The committee regret to find that the character of the resolutions heretofore adopted by them, and of which copies have been forwarded to you, is much misunderstood. In your letter of the 29th, it is said "that the committee of investigation have not come to any decision" as to the mode of proceeding to be adopted. The propriety or justice of such an allegation is not perceived. The committee have decided, and made known to you that decision, that they have the power to compel the production of the books and papers of the bank for inspection; that they have the power to make such inspection in the presence of those only who may be by the committee required or invited to attend; and to exclude from their room all persons whatever, who, by their presence, may in any degree tend to impede the progress of the inspection of the books and papers, or incommode the members of the committee in the discharge of the high duties devolved on them by the house of representatives. The committee reserve the right to exercise that power when it shall become necessary, and in the manner which their sense of propriety, and desire to do justice to the bank and to the country, may dictate. They hope that nothing will occur, in the course of this scrutiny, which may render it proper for them to decide upon and exercise the full extent of the powers conferred upon them by the house; and are happy to learn that "there is no practical difference between the views of the board and those entertained by the committee." They will be glad to know whether they are authorised to conclude that the room which has been offered for their accommodation at the banking house, can be conveniently set apart for their exclusive use and occupation, from ten o'clock, A. M. until three, P. M. during their continuance in Philadelphia. The committee assure the committee of directors, that it is their desire to conduct the investigation at the place mutually convenient to them and the officers of the bank, and in a manner calculated to work no "injustice or oppression."

An answer, consistent with your earliest convenience, to so much of this communication as relates to the occupation of the room in the banking house, is respectfully requested.

I have the honor to be, with great respect, your obedient servant,  
FRANCIS THOMAS.

To John Sergeant, esq. chairman

of the com. of the board of directors of the bank of the U. S.

No. 20.

Bank of the United States, May 1st, 1834.

SIR: I have the honor to acknowledge your letter of the 30th of April. It has been laid before the committee of the board, and, by their direction, I make the following reply:

In saying that, according to the tenor of the resolutions of the committee of investigation of the 29th ult. there was "as yet no practical difference" between the committee and the board, the committee of the board still think the language they used was correct and appropriate. It is true that in these resolutions the committee of investigation had asserted a power which might, perhaps, have been controverted. But it was not the intention of the committee of the board to discuss or question the powers of the committee of investigation in the abstract, or as matter of opinion, but simply to set forth their own views of what they believe to be the rights of the bank, and of the individual citizens intrusted with its administration.

The "practical difference," according to the view of the committee of the board, would only occur when there should be an actual, as distinguished from a theoretical collision; that is to say, when an exertion of power, attempted by the committee of investigation, should be met by an assertion of right on the part of the board, incompatible with its prosecution. Such a state of things would be extremely to be regretted. It must, nevertheless, be conceded that a case might be presented in which the committee of the board would be compelled, by a deep sense of duty, to consider their rights, and to act upon their own views of them.

Among the risks incident to an error of judgment in deciding, they would esteem it one of the greatest that their conduct might, by possibility, be imputed, however unjustly, to a want of due respect for the committee of investigation, or for the high source from which their authority is derived.

Under the influence of these feelings, and with a strong desire that the investigation might be conducted in a manner satisfactory to both the parties, the committee of the board gladly embraced the belief—it may be that their strong inclination led them too hastily to believe—that there was, "as yet, no practical difference." If in this they misunderstood the terms of the resolutions of the committee of investigation, they will be rea-

dy to receive explanation, of the committee, in this or any other matter, to correct the misunderstanding.

They deem it due, however, to the committee of investigation, as well as to themselves, to say further, that in the letter of the committee of investigation of the 30th ult. there appears to be a misapprehension of the meaning of the committee of the board in their letter of the 29th ult.

The committee of the board did not say "that the committee of investigation had not come to any decision as to the mode of proceeding to be adopted." They do not know, nor can they, without falling in the respect due to themselves, pretend to know, what may have been, or what may be, the decisions of the committee of investigation, except so far as the committee may think fit to communicate them. Accordingly, their letter of the — ult. was founded entirely on the resolutions of the — ult. copies of which were transmitted to them by the committee of investigation, and the passage above quoted with its context, referred especially to the following sentence, in the second of those resolutions, to wit: "But this committee has not determined that it will become necessary to perform that duty out of the presence of those charged by the directors to submit the same to the inspection of the committee." Comparing this with the resolutions of the board of directors, heretofore handed to the committee of investigation, it did appear to the committee of the board that there was no decision upon this material point, and, therefore, that there was "as yet no practical difference."

Acting upon the same principle that has hitherto governed the committee of the board, it is not their intention to question the statement of the committee of investigation, "that they have the power to compel the production of the books and papers of the bank." &c. That such is the opinion of the committee of investigation they have no doubt; and, as their opinion, the committee of the board freely admit its claim to high respect. It is only when ceasing to be opinion merely, it shall come in conflict with the rights of the bank, or of those intrusted with its administration, (if ever that should happen), that the committee of the board will find themselves bound, however reluctantly, to examine its application.

In reply to that part of your letter in which you inquire whether the committee of investigation "are authorised to conclude that the room which has been offered for their accommodation at the banking house can be conveniently set apart for their exclusive use and occupation, from 10 o'clock A. M. until 3 o'clock P. M. during their continuance in Philadelphia," I am directed by the committee to say that they still have, as they always have had, every disposition to accommodate the committee of investigation, and such they are persuaded is the disposition also of the board. The committee find their authority in this respect set forth in the resolutions of the board of the 23th of April, communicated to the committee of investigation on the same day, by which it appears that the board directed them to offer to the committee of investigation "a room in the banking house for its accommodation, and appointed them a committee of directors to exhibit the books and papers according to the requirement of the charter." But the board at the same time declared that they could not, "consistently with their sense of duty to the bank, and of the obligations of the trust committed to them, consent to give up the custody and possession of the books and papers of the bank, nor to permit them to be examined but in the presence of the committee appointed by the board. The committee of the board have great pleasure in renewing to the committee of investigation the offer of the room, in the manner pointed out by this resolution, and in tendering any further service in their power that can promote the convenience of the committee of investigation.

I have the honor to be, very respectfully, your obedient servant,  
JOHN SERGEANT, chairman.  
Hon. Francis Thomas, chairman of the committee of invest.

No. 21.

North American hotel, committee room, May 1, 1834.

Sir: I have the honor to enclose to you the accompanying copies of resolutions which have been adopted by the committee of investigation. Very respectfully, your obedient servant,  
FRANCIS THOMAS, chairman.

John Sergeant, Esq. chairman  
of committee of directors of the bank U. States.

[Enclosed in the foregoing.]

**Resolved**, That the president and directors of the bank be requested to furnish the committee with copies of all correspondence between the president of the bank or any of its officers with members of congress, or of unanswered letters received from any one of them since the first day of July, 1832, touching the renewal of the charter of the bank, the removal or restoration of the public deposits, or touching the business transactions of such members with said bank.

**Resolved**, That the president and directors of the bank be requested to furnish the committee with a statement showing the whole number of shares which it has taken since its establishment, by purchase or in payment of debts, the time when and from whom each was taken, the amount they were taken to pay or secure; and whether such debts were under protest when such shares were taken, the names of all parties obligated upon each debt, and whether such shares have been sold by the bank; and, if so, the amount obtained for each, the deficiency or excess in each case of sale in respect to the debt on which such shares

were taken, designating the branches at which such shares were taken or sold.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement of their expense account since the 1st of January, 1829, up to the date of this resolution being complied with, showing the items and total for each half year, corresponding with the entries in their expense book, and showing the names and residence of all persons to whom any payments have been made, the amount to each, and the time and consideration of such payments, with copies of all vouchers taken for such payments.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement in detail of all over drafts which have been made on said bank or branches since 1829, by members of congress, or state legislators; the time such over drafts were made; and also by printers, editors, and publishers of newspapers or periodicals, stating the time and amount of each over draft, by whom made, the period such over drafts remained unpaid, and the time and manner in which such drafts have been paid or secured.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with the particular items and the aggregate of all fees or compensations paid during each year to attorneys, counsellors, or lawyers, since the establishment of the bank; stating the amount paid to each person employed, together with their names and residence, the times when the payments were made, and the particular services rendered for each charge paid; also whether the same has been paid at the parent bank or branches, and at which, designating them; also of all sums paid as a general or annual fee or salary to counsellors for the bank, specifying the name of each person, the amounts, and times, and places of payments; and also whether such sums were paid by the order in each case of the board of directors, or how otherwise paid, designating such sums as have been paid in cash, and such as may have been passed to the credit of such persons or others in payment of any debt or debts due to said bank.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with the entire correspondence between the bank and the New York branch since the 1st of January, 1833.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement of all the accounts and copies of the entire correspondence between the bank or any of its officers and —; also the correspondence of the bank, or that of any of its officers with the officers of the branch at Washington, touching the debt owing, or which has heretofore been owing by them to the bank of the United States or any of its branches, or touching any negotiations for the loan or payment of money since the 1st of January, 1829.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement showing the amount of debt directly or indirectly due or owing to said bank by — and —, or either or both, jointly or severally, or by any other person for their benefit, or the benefit of either of them; showing also the amount of debt thus due at any time heretofore, with a statement of all payments on their account, with the dates thereof since the 1st of April, 1832, with copies of any deed or deeds of trust, arrangement, contract, or agreement, or assignment, entered into between said bank and them, or either of them, or others for the benefit of said bank, or in which it may have a beneficial interest; also copies of the entire correspondence between said bank, or any officer thereof, and the said — and —, or either of them; also a copy of any consent which the bank may have given, so far as concerned permitting — to establish and publish a newspaper in the city of —, notwithstanding his contract with — to the contrary.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement of the amount of debt directly or indirectly due or owing to the said bank, or any of its branches, from —, editor of the —, or any other person for his account and benefit; stating the maximum of his loans or debt in any time since he became indebted, the times and places when and where contracts thereof, and the time and manner in which the same has been paid, reduced, or secured, and with copies of its entire correspondence with the said —.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a statement, showing the details of the debt, which has, at any time, been owing by —, publisher of the —, since March, 1832, and showing how the same has been settled, secured, or arranged; also copies of all proceedings of the board of directors, or any committee or officer of said bank, in relation to said debt, since that period; showing also the amount of loss, if any, it has, or may probably, sustain by him.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with copies of all legal opinions which it may have obtained from counsel, touching the right of the bank to hold the public moneys, contrary to the powers or orders of the secretary of the treasury to remove the same; also copies of all the opinions obtained from counsel, in relation to delivering over, as directed by the proper officer, the funds, books, and papers, provided for paying revolutionary pensioners, or annuities, under the act of 7th June, 1832.

**Resolved**, That the president and directors of the bank be requested to furnish this committee with a detailed statement

of all loans made since the 1st of January, 1829, to individuals, who then were, who have been since, or who now are, members of congress, stating the amount of each loan, when the same was made, for what term the security was given, and the time when such security was received: and also the security which the bank now holds, and the amount now owing by any and each of such borrowers, or other person for the benefit of such borrowers, at the bank, or either of the branches; and stating, also, the particulars of any such loans, which have been protested, or which are now under protest, and the names of the parties to any such debts; also the names, if any, of any such persons, whose notes have been renewed after the same had become due and not protested or renewed, with the names of individuals, parties to said renewals, whose notes were under protest at the times such renewals were made; and, also, whether such loans in each case were made by the directors or otherwise, and by what authority.

No. 22.

*Bank of the United States, May 1, 1834.*

SIR: I am directed by the committee of the board of directors of the bank of the United States to acknowledge your letter of the 29th of April, and the copies enclosed with it of various resolutions of the committee of the house of representatives of the United States.

The committee deem it proper to lay your communication before the board, and would, for that purpose, have convened a special meeting before this time, but that it seemed to them necessary, first, to collect certain materials of information for the board. This work they caused to be begun as soon as they could; it will be completed at the earliest moment possible, so as to be laid before the board to-morrow, after which no time will be lost in communicating to you their decision.

With great respect, I have the honor to be, your most obedient servant,  
JOHN SERGEANT, chairman.

Hon. Francis Thomas, chairman of the committee of invest.

No. 23.

*Bank of the United States, May 2, 1834.*

SIR: I have the honor to acknowledge your communication of the 1st instant, together with sundry copies of resolutions which accompanied it. They have been laid before the committee and before the board.

The committee this morning also laid before the board your communication of the 29th ult. and the copies of resolutions accompanying it; and they have directed me to inform you, that as the resolutions of the 1st instant will involve the necessity of a similar inquiry as those of the 29th ult. the board do not deem it expedient to decide upon the one until they are prepared to decide upon the other. As soon as this decision is made, it will be communicated to you.

With great respect, &c.

JOHN SERGEANT, chairman.

Hon. Francis Thomas, chairman of the committee of invest.

No. 24.

*North American hotel, committee room, May 2, 1834.*

SIR: In compliance with the directions of the committee of investigation, I have the honor to enclose to you the accompanying copies of resolutions; and remain with great respect, your obedient servant,

FRANCIS THOMAS, chairman.

To John Sergeant, esq. chairman of committee of directors of bank of the U. States.

No. 25.

[Enclosed in foregoing.]

*Committee room, (North American hotel), May 2, 1834.*

Resolved, That the president and directors of the bank of the United States be required to submit for the inspection of this committee, at their committee room at the North American hotel, on Saturday, the 3d day of May instant, at 11 o'clock, A. M. the book or books which contain the minutes of the proceedings of the board of directors, at their several sittings on the 1st and 8th days of October in the year 1833, and from the 21st day of April, 1834, to this day.

Also, the report of a committee of the board, rejecting a proposition to transmit a copy of certain resolutions adopted on the 1st day of October, 1833, to the secretary of the treasury of the United States; also, the expense book of the bank, and the vouchers for expenses paid or incurred by said bank, since the 1st of January, 1832.

A true copy:

RICHARD RUSH.

No. 26.

*Committee room, (North American hotel), May 2, 1834.*

Whereas this committee, sincerely desirous to conduct the inquiries, examinations, and investigations which they have been required by the house of representatives to make, with fairness, impartiality, order, and despatch, have learned with regret that the directors of the bank of the United States have declined accommodating this committee with a room in their banking house, for the exclusive use and occupation of this committee: Therefore,

Resolved, That the sittings of this committee shall be held in their room at the North American hotel, in the city of Philadelphia, until otherwise ordered.

A true copy:

RICHARD RUSH.

No. 27.

*Bank of the United States, May 3, 1834.*

SIR: I am directed by the committee of the board to acknowledge the honor of your letter of the 1st instant, covering sundry resolutions of the committee of investigation; and in reply to that letter, as well as in further reply to your letter of the 29th ult. to enclose to you a copy of the resolution of the board of

directors of the bank of the United States, at a special meeting convened this morning for the purpose of taking into consideration the several communications of the committee of investigation, not heretofore answered. With great respect, your obedient servant,  
JOHN SERGEANT, chairman.

Hon. Francis Thomas, chairman of the committee of invest.

No. 28.

[Enclosed in the foregoing.]

Resolved, That the board do not feel themselves at liberty to comply with the requirement of the resolutions of the committee of investigation of the 29th ult. and 1st instant, and do not think they are bound to do so, inasmuch as, in respect to a part of the papers called for, the effect would be the same as the surrender of their books and papers to a secret and *ex parte* examination, which they have already refused to consent to; and as to the other part, they relate to matters over which the board have no control; and if they could overcome these objections, and had the power over all the papers, still it would be impossible for them to comply within any reasonable time, having ascertained, by a careful examination, that the copies and statements called for by the resolutions of the 29th ultimo, alone, would require the uninterrupted labor of two clerks for at least ten months, to make them out, and that the remaining resolutions, so far as they concern matters not beyond the reach of the board, would require great additional time, which they are not able exactly to compute, without causing, what they fear would be an inconvenient delay to the committee of investigation; and they take it for granted that it would no more comport with the views of the committee of investigation to wait till so distant a period, than it would with the rights of the bank, to have such a burden imposed upon it.

No. 29.

*Bank of the United States, May 3, 1834.*

SIR: I am directed by the committee of the board to acknowledge the honor of your letter of the 3d instant, covering copies of two resolutions of the committee of investigation, and to inform you that a special meeting of the board was called at the earliest practicable hour this morning, that there might be no disappointment or delay to the committee of investigation. The answer will be found in the copies of resolutions, herewith transmitted by order of the committee.

With great respect, I have the honor to be, your obedient servant,  
JOHN SERGEANT, chairman.

Hon. Francis Thomas, chairman of the committee of invest.

No. 30.

[Enclosed in the foregoing.]

Resolved, That the board are not aware of having declined to accommodate the committee of investigation with the exclusive use and possession of a room in the banking house, unless the committee of investigation so construe the early and ready offer of the room by the board with the assertion of the right of the committee of the board to be present at the examination and investigation of the books and papers of the bank, and to have the care and custody of the same; and if such be the meaning of the committee of investigation, then the board are constrained to adhere to the ground, as they think of manifest right, taken in their resolution of the 28th ultimo, namely, that the board cannot consistently with their sense of duty to the bank, and of the obligations of the trust committed to them, consent to give up the custody and possession of the books and papers of the bank, nor to permit them to be examined but in the presence of the committee appointed by the board.

Resolved, That, with every disposition on the part of the board to conform to the wishes of the committee of investigation, so far as it may be done without a violation of the trust reposed in them, the board cannot, nevertheless, consent to let the books and papers of the bank go out of their care and custody, nor out of the banking house, which is their proper place of deposit; and, therefore, they cannot comply with that part of the resolution of the committee of investigation of the 2d instant, which requires that certain of the books and papers of the bank be sent to the North American hotel this day at eleven o'clock, believing that this would be contrary to their duty to the stockholders, and would transcend their lawful power, as well as be liable to be deemed an abandonment of the right to be present by themselves, or their committee or agents, at the examination and investigation; inferring, in all these respects, a very grave responsibility, which the board, in their limited authority, do not think they can be reasonably required to assume.

No. 31.

*Committee room, May 5, 1834.*

SIR: By authority from the committee of investigation, I have the honor to enclose to you the accompanying resolution; and to be, with high respect, your obedient servant.

FRANCIS THOMAS.

To John Sergeant, esq. chairman of the committee of directors of the U. States bank.

No. 32.

[Enclosed in the foregoing.]

Whereas the president and directors of the bank of the United States have refused to submit certain of their books and proceedings to the inspection of this committee, at the committee room at the North American hotel, as required in the committee's resolution of the 2d instant, but have declared that they are not aware that they have declined to furnish this committee a room in their banking house, for its exclusive use and occupation, as expressed in the second resolution of the 3d instant, and this committee is earnestly desirous fully to execute the re-

olution of the house of representatives, and does not waive its right to inspect the books of the bank as required; therefore,

*Resolved*, That this committee will repair to the banking house this day at one o'clock, to inspect such of the books culled for in the resolution of the 28th of April, 1834, and such other books as they may require to be produced; and that the chairman inform the committee of directors of the bank thereof.

A true copy:

No. 33.

South Fourth street, No. 89, May 5, 1834, 11½ A. M.

Sir: I have the honor to acknowledge your letter of this date, just now received.

It appears to me impracticable to bring together the committee, and to make the needful arrangements for their receiving you, and attending the investigation and examination of the books and papers of the bank, in conjunction with the committee of investigation, by the time you mention. They will be reassembled, however, without unnecessary delay, and, I do not doubt, will notify to you the time when they will be prepared to meet the committee of investigation, and act with them in the investigation and examination—probably not later than some hour to-morrow. With great respect, I have the honor to be your obedient servant,

J. SERGEANT, chairman.

Hon. Francis Thomas, chairman of the committee of invest.

No. 34.

North American hotel, May 5, 1834.

Sir: Your unofficial communication has just been delivered to me. The members of the committee of investigation separated this morning, after adopting the resolution which I have had the honor to transmit to you, to reassemble again at one o'clock, to enter on the performance of their duty, at the bank. I have no authority to signify that this purpose will be changed by your letter.

I take pleasure in adding, that I have no doubt the committee will be pleased to see any member of the committee of directors, at the hour appointed, at the bank. And am, with great respect, your obedient servant,

FRANCIS THOMAS.

To John Sergeant, esq. chairman, &c.

No. 35.

*Ordered*, That the cashier of the bank of the United States be, and he is hereby requested and required, to submit for the inspection of the committee, the minute books containing the proceedings of the board of directors since the first day of January, 1839.

No. 36.

Bank of the United States, May 5, 1834.

Sir: I have had the honor of receiving from you, personally, in my interview with the committee of investigation, a resolution of the said committee, in the following words:

*Ordered*, That the president of the bank of the United States be requested and required to submit to the committee of investigation the minute book containing the proceedings of the board of directors of the bank of the United States; the expense account and vouchers for expenditure, under a resolution of the board, of the 30th of November, 1830.

In answer to the requisition, I have the honor to state that I have not the custody of, nor control over, the books and papers mentioned in the resolution. The general custody of the same is in the board of directors of the bank, who, by resolutions of the 24th and 28th ultimo, already communicated to the committee of investigation, appointed a committee of directors, for the purpose of exhibiting these books and papers to the committee of investigation, and declared that they could not permit them to be examined, except in the presence of the said committee of directors. I am, therefore, unable to comply with the requisition contained in the resolution. I have the honor to be, very respectfully, yours,

N. BIDDLE, president.

Hon. Francis Thomas, chairman of the committee of invest.

N. B. A reply, similar to the above, was addressed by the cashier to the chairman of the committee of investigation.

No. 37.

Bank of the United States, May 6, 1834.

Sir: In the absence of the chairman of the committee of the board, owing to a cause explained to you yesterday, I have the honor to send you herewith a copy of the resolutions the committee have adopted at a meeting this morning.

With great respect, I am, sir, your most obedient servant,

S. JAUDON, cashier.

Hon. Francis Thomas, chairman

of the committee of the house of representatives.

No. 38.

[Enclosed in the foregoing.]

At a meeting of directors held at the bank on the 6th day of May, 1834, the following resolutions were adopted:

*Resolved*, That the committee of the board will be prepared to receive the committee of the house of representatives, at the banking house of the bank of the United States, to-morrow morning, the 7th instant, at eleven o'clock, then and there to proceed in the execution of their duty, according to the requirement of the charter, and in conformity with the instructions of the board, as contained in the several resolutions, copies of which have heretofore been communicated to the committee of the house of representatives of the United States, as the same have been explained to be understood by this committee; to which understanding they continue to adhere.

*Resolved*, That a copy of the foregoing resolution be transmitted by the cashier to the hon. Francis Thomas, chairman of

the committee of investigation, in reply to his communication of yesterday to the chairman of this committee.

No. 39.

May 7, 1834.

*Resolved*, That the committee will proceed to examine into the truth of the statement made by the government directors to the president of the United States and to congress, and for that purpose will this day call for the production, for inspection, of the minute books containing the proceedings of the directors of the bank, and the expense books and vouchers for expenses incurred.

True copy:

EDWARD D. INGRAHAM,

secretary of committee of investigation.

No. 40.

May 7, 1834.

The chairman of the committee of the board read to the committee of investigation the following preamble and resolution:

Whereas it appears, from the resolution of the house of representatives of the United States, appointing the committee of investigation, that two distinct inquiries were contemplated, one of them directed to ascertain whether the charter had been violated, and limited to the acts of the corporation; and the other so very general and indefinite, as to make it difficult, if not impossible, to say whether it has any limits at all, either as to the matters to be inquired into, or the mode of pursuing the inquiry; and whereas it appears, from calls made by the committee of investigation, that they have proposed a very wide range, embracing, among other things, an extensive examination of the acts, transactions, accounts and letters of individuals, and thus instituting a kind of general search, which is the more objectionable, because, if it have any purpose at all, it must be to criminate those individuals as well as the bank, and if it have not this purpose, it is without any assignable object, and would be an injurious invasion of private interests; and whereas, under these circumstances, it is the duty of the committee, by all lawful means, to protect the rights and sacred confidence entrusted to their keeping, and to yield nothing by consent which cannot be legally demanded from them; and whereas, after careful and anxious consideration, they are of opinion that the inquiry can only be rightfully extended to alleged violations of the charter, and this inquiry ought to be conducted according to some certain principles and rules; therefore,

*Resolved*, That the committee of investigation be respectfully required, when they ask for books and papers, to state specifically, in writing, the purposes for which they are proposed to be inspected, and, if it be to establish a violation of the charter, then to state specifically, in writing, what are the alleged or supposed violations of charter to which the evidence is alleged, or supposed to be applicable.

*Resolved*, That, in the opinion of this committee, it would very much conduce to the purposes of justice, as well as to the convenience of all concerned, if the committee of investigation would furnish a specification of all the charges intended to be inquired into; and proceed with them in order as stated.

No. 41.

Whereas this committee have, by resolutions severally communicated to the president and directors of the bank of the United States, declared that, in discharging the duties confided to them by the house of representatives, they claimed, on their responsibility to that house and to their constituents, to regulate their proceedings, to judge of the extent of their powers and duties for themselves; that they are not charged with the duty of criminating the bank, its directors, or others, but simply to inquire, amongst other things, whether such prosecution, in legal form, shall be instituted; and that, in so doing, they would afford to every person, who might appear to be implicated by their examinations, full and fair opportunity of explanation and defence:

*Resolved*, therefore, That, in performing the duty of "inspecting the books and examining into the proceedings of the bank," the committee cannot rightfully be "required," and, from the nature of their duties cannot comply with a request, to state specially, in writing, the purposes for which they are proposed to be inspected.

*Resolved*, That the committee cannot comply with a request or requisition to specify what are the supposed violations of charter, because they are not conducting a prosecution, but simply inquiring whether one shall be instituted.

True copy:

EDW. D. INGRAHAM,

sec. com. of investigation.

May 7, 1834.

1. Mr. Mason called for the production of the minute books containing the proceedings of the board of directors from the 1st September, 1832, to the present date.

2. The chairman requires that the expense book of the bank, with the vouchers, showing the expenses of the bank incurred under resolution of the 30th November, 1830, be submitted to the inspection of the committee of investigation.

3. Mr. Muhlenberg desired that the books showing the account of — with the bank of the United States, with the notes and papers explanatory of such account, from the 1st day of January, 1832, may be submitted to the inspection of the committee.

True copy:

EDW. D. INGRAHAM,

sec. com. of investigation.

May 7, 1834.

4. *Resolved*, That the committee of directors be, and they are hereby, requested and required to submit, for the inspection of this committee, the credit books and pay lists of the bank, to enable this committee to ascertain "whether it has used its

corporate powers or money to control the press, to interfere in politics, or influence elections."

True copy: EDW. D. INGRAHAM, sec. com. of investigation.  
 May 7, 1834.  
 5. Resolved, That the committee of directors be requested and required to submit, for the inspection of this committee, the minute books of the bank, together with the correspondence, journals, and other memorandums of the proceedings of the committees of exchange, on the state of the bank, and on the offices, that this committee may be enabled to ascertain whether the bank has had any agency, through its management or money, in producing the present pressure.

True copy: EDW. D. INGRAHAM, sec. com. of investigation.  
 May 7, 1834.  
 Resolved, That the committee of directors be, and they are hereby, requested and required to submit, for the inspection of this committee, the minute books containing the proceedings of the board of directors, together with the correspondence, journals of the president of the bank, the exchange committee, the committee on the state of the bank, and the committee on the officers, that this committee may be enabled to judge whether the board of directors have violated the charter of the bank, by authorising, permitting, or sanctioning the exercise of improper and illegal powers by those committees or by the president of the bank.

True copy. EDW. D. INGRAHAM, sec. com. of investigation.  
 May 7, 1834.

No. 42.

Bank of the United States, May 8, 1834.

SIR: I have the honor to enclose to you a copy of a resolution of the committee of the board, and to be, with great respect, your most obedient servant,

JOHN SERGEANT, chairman.

The hon. Francis Thomas, chairman com. of investigation.

No. 43.

[Enclosed in the foregoing.]

Resolved, That, after full deliberation, and with every feeling of respect for the house of representatives, and for the committee appointed by them, and with a firm conviction that they have nothing to fear from scrutiny of the affairs of the bank, however severe, the committee of the board are constrained to adhere to the resolutions yesterday handed to the committee of investigation, and to decline complying with the calls heretofore made upon them, in any other manner than is therein laid down; believing this to be their duty, from which they are not at liberty to depart.

No. 44.

Whereas at a special meeting of the board of directors of the bank of the United States, held at the bank on the 24th of April, in this present year, a resolution was adopted and communicated to the committee of the house of representatives, by which a "committee of seven members was appointed" to receive the committee of the house of representatives of the United States, and to offer for their inspection such books and papers of the bank as may be necessary to exhibit the proceedings of the corporation, according to the requirements of the charter.

And whereas, at a room in the banking house, on the 7th day of May instant, the committee of the house of representatives, required of the committee of the board of directors the production of certain books and papers of the bank of the U. States by the committee of the house of representatives to be then and there inspected, as set forth in the following resolutions:

"Ordered, That the minute book, containing the proceedings of the board of directors from the 30th September, 1830, to this date, May 7, 1834, be produced for inspection."

"Ordered, That the books showing the accounts of ———, of ———, with the bank of the United States, with the notes and papers explanatory of such account, from the 1st day of January, 1832, to this day, be submitted to the inspection of the committee."

"Ordered, That the expense book of the bank, with the vouchers showing the expenses of the bank incurred under a resolution of the 30th of November, 1830, be submitted to the inspection of the committee of investigation."

"Ordered, That the committee of directors be requested and required to submit, for the inspection of this committee, the minute books of the bank, together with the correspondence, journals and other memorandums of the proceedings of the committee of exchange on the state of the bank, and on the offices, that this committee may be enabled to ascertain whether the bank has had any agency, through its management or money, in producing the present pressure."

"Ordered, That the committee of directors be, and they are hereby, requested and required to submit, for the inspection of this committee, the minute books containing the proceedings of the board of directors, together with the correspondence, journals of the president of the bank, the exchange committee, the committee on the state of the bank, and the committee on the officers, that this committee may be enabled to judge whether the board of directors have violated the charter of the bank, by authorising, permitting or sanctioning the exercise of improper and illegal powers by those committees, or by the president of the bank."

And as preliminary to a reply, received from the committee of the board of directors, a preamble and resolutions as follows: [Here follows the resolutions of the 7th May, numbered 40, in the documents.]

Which being considered, was replied to by this committee, as follows:

"Whereas this committee have, by resolutions, severally communicated to the president and directors of the bank of the United States, declared that, in discharging the duties confided to them by the house of representatives, they claimed, on their responsibility to that house and their constituents, to regulate their proceedings, to judge of the extent of their powers and duties for themselves; that they are not charged with the duty of criminating the bank, its directors or others; but simply to inquire, amongst other things, whether such prosecution, in legal form, shall be instituted; and that, in so doing, they would afford to every person who might appear to be implicated by their examinations full and fair opportunity of explanation and defence.

Resolved, therefore, That in performing the duty of "inspecting the books, and examining into the proceedings of the bank," the committee cannot rightfully be "required," and, from the nature of their duties, cannot comply with a request, to state specifically, in writing, the purposes for which they are proposed to be inspected.

Resolved, That the committee cannot comply with a request, or requisition, to specify what are the supposed violations of charter, because they are not conducting a prosecution, but simply inquiring whether one shall be instituted.

And a specific answer thereto.  
 That, in answer to these several calls, the committee has received the following:

Bank United States, May 8, 1834.

SIR: I have the honor to enclose to you a copy of a resolution of the committee of the board, and to be, with great respect, your most obedient servant,

JOHN SERGEANT, chairman.

To the hon. Francis Thomas, chairman of the com. of invest. Resolved, That, after full deliberation, and with every feeling of respect for the house of representatives, and for the committee appointed by them, and with a firm conviction that they have nothing to fear from scrutiny of the affairs of the bank, however severe, the committee of the board are constrained to adhere to the resolution yesterday handed to the committee of investigation, and to decline complying with the calls heretofore made upon them, in any other manner than is therein laid down, believing this to be their duty, from which they are not at liberty to depart.

And whereas, this committee does not feel authorised to consider the act of the committee of the board of directors, in thus refusing to submit the books and papers called for, to the inspection of the committee of the house of representatives, as within the authority conferred on their committee by the board of directors, and thus the act of the corporation; therefore,

Resolved, That the chairman be requested to communicate this resolution to the president of the bank of the United States, and to ask that it may be submitted to the board of directors, and this committee informed by the said board whether the refusal of the committee aforesaid is to be regarded as the act of the board, or done by its authority.

Resolved, That the chairman be directed to transmit this resolution to the president of the bank of the United States.

North American hotel, May 8, 1834.

SIR: I have the honor to enclose to you two resolutions which have been adopted by the committee of investigation, and to ask the favor of you to submit them to the consideration of the board of directors at an early hour. I have the honor to be, very respectfully, your obedient servant,

FRANCIS THOMAS,

chairman of the committee of investigation.

Nicholas Biddle, esq. president of the United States bank.

No. 45.

Bank of the United States, May 9, 1834.

SIR: I had last evening the honor of receiving your letter dated "North American hotel, May 8, 1834," accompanying a copy of two resolutions of the committee of investigation.

These papers were submitted to the board of directors at their meeting this morning, and I am instructed to transmit to you a copy of their proceedings thereon. This I accordingly do, with the assurance of the respect of yours,

N. BIDDLE, president.

Hon. Francis Thomas, chairman of com. of invest. Phila.

No. 46.

[Enclosed in the foregoing.]

Bank of the United States, May 9, 1834.

At a meeting of the board of directors, held this day, the following resolutions were unanimously adopted:

Resolved, That the board, having heard the report of the committee appointed on the 24th ultimo, upon the matters referred to them this morning, do fully approve and sanction the resolutions adopted by the committee on the 7th and 8th instant, and presented by them to the committee of investigation, which resolutions are as follows:

[Here follows the resolutions of the 7th and 8th May, numbered in the documents 40 and 44.]

No. 47.

By authority of the house of representatives of the U. States. To Benjamin S. Bonsall, marshal of the eastern district of Pa. You are hereby commanded to summon Nicholas Biddle, president, Emanuel Eyre, Matthew Newkirk, John Sergeant, Chas. Chauncey, Jno. S. Henry, Jno. R. Neff, Ambrose White, Daniel W. Cox, John Goddard, James C. Fisher, Lawrence Lewis,

John Holmes and William Platt, directors of the bank of the United States, to be and appear before the committee of the house of representatives of the United States, appointed on the 4th day of April, 1834, "for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the U. States, in sundry memorials which have been presented to congress at the present session, and of inquiring whether the charter of the bank of the United States has been violated, and also what corruptions and abuses have existed in its management; whether it has used its corporate power, or money, to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure; also, to inspect the books and examine into the proceedings of the said bank, and whether the provisions of the charter have been violated or not; and what abuses, corruptions or malpractices have existed in the management of said bank; and also to examine into the affairs of the said bank and branches; and further, to visit the principal bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts, and other papers connected with its management or business;" in their chamber in the North American hotel, in the city of Philadelphia, and to bring with them the credit books of said bank, showing the indebtedness of individuals to said bank on the tenth day of May instant, at the hour of twelve o'clock, M. then and there to testify touching the matters of said inquiry, and to submit said books to said committee for inspection.

Herein fail not, and make return of this summons.

Witness the seal of the house of representatives of the U. States, and the signature of the hon. Francis Thomas, chairman of the said committee, at the city of Philadelphia, this ninth day of May, in the year one thousand eight hundred and thirty-four.

FRANCIS THOMAS.

Attest: W. S. FRANKLIN, clerk house of representatives U. S. Marshal's office, Philadelphia, May 10th, 1834.

Served the within, on the individuals within named, to wit: Nicholas Biddle, Emanuel Eyre, Lawrence Lewis, Ambrose White, Daniel W. Cox, John Holmes, Charles Chauncey, John Goddard, John R. Neff, William Platt and Matthew Newkirk, by handing a copy thereof to each of them, on Friday, the 9th instant; and on James C. Fisher, John S. Henry and John Sergeant, by handing a copy thereof to each of them on the 10th day of May instant, between the hours of 8 and 9, A. M. So answers,  
BENJAMIN S. BONSALE,  
marshal eastern district of Pennsylvania.

No. 48.

The undersigned having been individually served by B. S. Bonsale, esq. marshal of the eastern district of Pennsylvania, with a copy of a process dated the 9th instant, by which he was commanded to summon them, by the following names and descriptions, to wit: Nicholas Biddle, president, Emanuel Eyre, Matthew Newkirk, John Sergeant, Charles Chauncey, John S. Henry, John R. Neff, Ambrose White, Daniel W. Cox, John Goddard, James C. Fisher, Lawrence Lewis, John Holmes and William Platt, directors of the bank of the United States, to be and appear before the committee of the house of representatives of the United States, appointed on the 4th day of April, 1834, in their chamber in the North American hotel, in the city of Philadelphia, and to bring with them the credit books of said bank, on the 10th day of May instant, at the hour of twelve o'clock, M. then and there to testify touching the matters of said inquiry, and to submit said books to said committee, for inspection, have consulted together, that they might be assisted by the judgment of each other as to the course they were individually to pursue, and have concurred, each for himself, in the conclusion for the government of his individual conduct, which will now be stated; and, to avoid misapprehension or controversy, have reduced their answers to writing, signed with their names, and herewith respectfully presented, each for himself, as follows:

1. Without waiving any objection there may be to the legality of the said process, or the service, (which is expressly reserved), we deem it most consistent with the respect we wish upon all occasions to acknowledge to be due to the committee of the house of representatives of the United States, to attend upon them in person, and accordingly do so attend, to manifest our respect, but not to admit any obligation.

2. We do not produce the books specified in the paper before mentioned, that is to say, "the credit books of said bank, showing the indebtedness of individuals to said bank," because they are not in the custody of either of us, but, as has heretofore been stated, of the board, whose views upon this subject, we would take occasion to say, have already been respectfully communicated to the committee of investigation.

3. We do not know whether it was the intention of the committee of investigation to call upon either of us to testify, or whether the object of the paper was not simply to require us to produce "the credit books of said bank, showing the indebtedness of individuals to said bank." But, to avoid unnecessary trouble to the committee, and in the spirit of frankness required by the respect that is due to them, we have deemed it proper to consider the alternative first mentioned, and each of us now says, for himself, that, considering the nature of the proceeding, and the character of the inquiry, even as explained in the resolution of the committee of investigation of the 7th instant, and considering that, as corporators and directors, we are

parties to the proceeding, we do not consider ourselves bound to testify, and therefore respectfully decline to do so. We are sure that the committee will duly estimate the sacrifice we make of personal feeling in thus deciding, conscious as we are that we have no knowledge, which, if a necessary regard to our duties and the rights of others permitted, we would not willingly expose without reserve.

N. BIDDLE, A. WHITE,  
M. EYRE, D. W. COXE,  
M. NEWKIRK, JOHN GODDARD,  
JOHN SERGEANT, JAMES C. FISHER,  
CHARLES CHAUNCEY, LAWRENCE LEWIS,  
JOHN S. HENRY, JOHN HOLMES,  
JOHN R. NEFF, WILLIAM PLATT.

Philadelphia.

No. 49.

North American hotel, May 10, 1834.

Sir: I have the honor to transmit to you, by direction of the committee of investigation, two resolutions, which you will find enclosed. I have the honor to be, with great respect, your obedient servant,  
FRANCIS THOMAS, chairman.

To John Sergeant, esq. chairman

of the committee of the board of directors.

Whereas, resolutions have been adopted by this committee into which the names of private individuals were necessarily introduced, that the committee of directors might more readily know where the accounts or papers, which were called for to be examined confidentially, were to be found; and whereas it has never been the intention of this committee to publish such resolutions, unless, after such confidential examination, it should appear that the duty of the committee, under its resolution of inquiry, required it; and whereas the directors of the bank have declined to produce the accounts thus called for, and this committee is unwilling to excite suspicions against any one which they have not the means either to justify or remove, and there is no longer necessity for such injunction of confidence: therefore,

Resolved, That the members of this committee be, and they are, released from the injunction which has been imposed, to consider confidential their journal and proceedings, except such parts thereof where the names of private individuals appear.

Resolved, That a copy of the foregoing preamble and resolution be forwarded to the committee of directors.

True copy: EDWARD D. INGRAHAM,  
secretary to the committee of investigation.

10th May, 1834.

Committee room, North American hotel, 10th May, 1834.

Resolved, That when this committee adjourn to-day, they adjourn to meet in the city of Washington, on Thursday, the 15th of May, 1834, at 10 o'clock, A. M.

True copy: EDWARD D. INGRAHAM,  
secretary to the committee of investigation.

Here ends the documents attached to the report of the minority. It will naturally present itself to the mind of the careful reader, that those attached to that of the majority should have been preferred—and so they would, had they not been kept back, or somehow delayed, in a very singular manner, and with an apparent view of embarrassing the minority in the publication of their report—that of the majority having been given to the editor of the "Globe" before it was in possession of the printers to the house of representatives, charged with its publication. A brief history of these proceedings must be recorded, else, as before observed, it will not be believed that such things could have happened. The committee stood five against two, and it has rarely occurred that so great a majority on such a committee was ever before arranged;—but do not the proceedings alluded to shew that the five feared the two?

The date of the writ, May 9, served on the 10th, early in the morning, with the signature of the clerk of the house attached, would seem to make it probable that it had been prepared in—blank! What authority had the clerk to sign such a paper, without the action of the house?  
Ed. Reo.

From the National Intelligencer, of May 30.

We have examined the appendix to the report of the majority of the bank committee, with a view to ascertain whether it contained any matter not comprised in the appendix to the report of the minority of the committee. The following extracts from the journal of the committee, are not comprised in the latter appendix:

North American hotel, April 23, 1834.

The committee met. Present all the members. On motion, Resolved, That the chairman address a letter, in behalf of the committee, to the president of the bank, enclosing a copy of the resolution of the house of representatives under which the committee are appointed, informing him that they are now organized, and ready to proceed to business at such time to-morrow as will be convenient to him.

Committee room, (North American hotel), May 5, 1834.

Ordered, That, on arriving at the bank, the chairman be authorized to require of the president, or other officers, the production of the books of the bank, for inspection of this committee.

Thereupon the committee proceeded to the banking house. The chairman inquired for Mr. Sergeant, chairman of the committee of directors, and was told "he was not at the bank." He then inquired for the president, and first cashier of the bank;



and, on their appearing, requested each of them respectively to produce to the committee, for inspection, the minute books containing the proceedings of the board of directors, and requested the president to submit for inspection also the expense book, and vouchers, showing the expenditures made under the resolution of the board, passed November 30, 1830. The president and cashier declined complying with the request, alleging that they had no power to do so, the books being in the custody of the board of directors.

The president then invited the committee to his room, where the same conversation was repeated by the chairman of the committee, and the president of the bank. It was there proposed by Mr. Ellsworth, that the demand of the committee should be reduced to writing, which was done by the adoption of the following order:—

“Ordered, That the president of the bank of the United States be requested and required to submit to the committee of investigation the minute book containing the proceedings of the board of directors of the bank of the United States; the expense account and vouchers for expenditure, under a resolution of the board of the 30th of November, 1830, and 11th March, 1831.

*North American hotel, May 7, 1834.*

Resolved, That the committee will proceed to examine into the statement made by the government directors to the president of the United States and to congress; and for that purpose will this day call for the production, for inspection, of the minute books, containing the proceedings of the directors of the bank, and the expense books, and vouchers for expenses incurred.

After having adopted this resolution, the committee proceeded to the bank of the United States and occupied the room assigned for their use; immediately thereafter they were attended by the committee of directors, when

Mr. Mason, as one of the committee, desired the production of the minute book containing the proceedings of the board of directors from the 30th September, 1832, to this date, (7th May, 1834).

The committee of directors thereupon retired to deliberate on the propriety of granting this request, and soon after returned, when their chairman presented the following paper to wit:—

The committee of the board request to be furnished with a copy of the resolution of the committee of investigation read to the committee of the board this morning.

The following resolution was then passed by the committee of investigation:—

“Resolved, That a copy of the resolution of this committee read by the chairman of the committee of investigation in the presence of the committee of directors this day, and requested by said committee, be furnished agreeably to their request, as matter of favor and not of right.”

Mr. Mulhensberg desired that the books showing the accounts of Messrs. ———, with the bank of the United States, and papers explanatory of such account, from the 1st day of January, 1832, to this day, may be submitted to the inspection of the committee.

The chairman requires that the expense book of the bank, with the vouchers, showing the expenses of the bank, incurred by a resolution of the 30th November, 1830, and the 11th March, 1831, be submitted to the inspection of the committee of investigation.

The question being taken upon them, was carried in the affirmative, without a division being called for.

Notice being given to the committee of the board of directors that the committee of investigation were ready to receive them, they attended, and the chairman stated to Mr. Sergeant, chairman of the committee of the board, “that the committee had directed a copy of the resolution requested by them, to be furnished;” which was thereupon furnished to Mr. Sergeant by the secretary.

The chairman also stated to Mr. Sergeant, that other books and papers were specifically required by members of the committee, specifying to him those required by Mr. Mulhensberg, Mr. Mason and himself. The committee of the board then retired, and in a few minutes returned; and Mr. Sergeant stated that he was authorised by the committee of the board to offer certain resolutions, which he read.

The resolutions here referred to are in both appendices, beginning thus: “Whereas it appears from the resolution of the house of representatives,” &c.

The following also appear in the majority appendix, and not in the other:—

*Bank of the United States, May 9, 1834.*

At a meeting of the board of directors, held this day, the following resolutions were unanimously adopted:

Resolved, That the board, having heard the report of the committee appointed on the 24th ultimo, upon the matters referred to them this morning, do fully approve and sanction the resolutions adopted by the committee on the 7th and 8th instant, and presented by them to the committee of investigation.

The following resolution was adopted by the committee of investigation:

*Committee room, May 9, 1834.*

Resolved, That the chairman of this committee, in pursuance of the authority of the house of representatives of the United States, and its terms and rules regulating its proceedings, do issue a subpoena duces tecum, to be directed to Nicholas Biddle, a resident, Manuel Eyre, Matthew Newkirk, John Sergeant,

Charles Chauncey, John S. Henry, John R. Neff, Ambrose White, Daniel W. Cox, John Goddard, James C. Fisher, Lawrence Lewis, John Holmes and William Platt, directors of the bank of the United States, to be and appear before this committee, at their committee room in the North American hotel, in the city of Philadelphia, at 12 o'clock at noon, on Saturday, the 10th instant, and to bring with them the credit books of said bank, showing the indebtedness of individuals to said bank at the present time.

*Committee room, May 10, 1834, 10 o'clock, A. M.*

The following resolution was, on motion, adopted:—  
Resolved, That this committee will proceed to examine N. Biddle, esq. president of the bank of the United States, touching his having acted under the resolutions of the board of directors of the 30th November, 1830, and the 11th March, 1831; and as to what amount of money he has expended under those resolutions since the 30th day of November, 1832, to this day.

At 12 o'clock at noon, Nicholas Biddle, esq. and Messrs. Manuel Eyre, Matthew Newkirk, John Sergeant, Chas. Chauncey, John S. Henry, John R. Neff, Ambrose White, Daniel W. Cox, John Goddard, Jas. C. Fisher, Lawrence Lewis, John Holmes and William Platt, presented themselves at the committee room, and Mr. Sergeant stated “that they came in pursuance of the precept served on them individually by the marshal, and that he would read their individual answer to it.”

EDITORIAL AND MISCELLANEOUS.

Notwithstanding the room obtained by the supplement to the present sheet, we do not seem to have diminished the stock of articles that have been laid on the table for insertion—among which are sundry things of our own make.

The other day, when wondering what had become of Mr. Clay's report on the public lands, with reference to the bill which had passed both houses, and was returned to the senate, by the president of the United States—we met with it in our old friend Wilson's paper, the “Steuvenville Gazette!” The subject is one of great importance, and for several reasons, and ought to be widely spread before the people. Of course it shall have a speedy place in the REGISTER.

The majorities in the senate of the United States, in deciding the great questions presented to that body, were not, a short time ago, expected either by the friends or opponents of the administration: and the preference given to Mr. Bell, over Mr. Polk, as speaker of the house of representatives, is thought by some a strong indication of an altered feeling in that body; which, if to be elected now, would surely have a very different political character.

We have made a tabular statement of the ballots taken in the house of representatives for speaker, in the place of Mr. Stevenson, who resigned both his office and membership in the house, on Monday last. On the 10th ballot, Mr. Bell, of Tennessee, a worthy gentleman; and who will make an able speaker, we think, was chosen by a handsome majority over Mr. Polk, who was the “administration” candidate proper: but when the prevailing party was compact, Mr. Stevenson obtained a majority of 66—or 142 to 76; now Mr. Bell had a majority of 36 over Mr. Polk, or 114 to 78, some scattering votes being given. It was said that Mr. Sutherland made a calculation on the chair, when he consented to be a candidate and to resign his judgeship in Pennsylvania, on the appointment of Mr. Stevenson, as minister to England, being then also calculated—but he made a poor poll.

It is remarked, that the house did not pass any complimentary vote to Mr. Stevenson, and that Mr. Bell, on taking the chair, made no reference to him, in his brief remarks on that occasion. These are singular omissions.

It is stated that Mr. Tappan, nominated as judge of the district court of Ohio, has been rejected by the senate; and said that after Mr. Gordon's rejection by the senate, as collector at New Orleans, the president named his son, a young man, for that important place. It does not appear that the senate has yet acted on the nomination of young Gordon. We believe this proceeding has no precedent. The son, it seems, is the present deputy of the father, and the father, in case he [the son] should be appointed, would probably become the deputy of the son—“all in the family.” Had such a thing happened even

years ago, what would have been said of it? The senate will not appoint the son, having rejected the father.

We have now been twice disappointed in obtaining room for a brief speech of Mr. *Murdain*, of Delaware, in the senate of the United States, when he had occasion to refer to certain proceedings of the "democrats" of New Castle county—to which is appended some plain remarks of our own on the same subject, and in relation to persons and things long past. The articles alluded to will probably have a place in the next number.

Speaking of Delaware, we may notice that a meeting of 400 of the young men of New Castle county was held at the "Red Lion inn," the old "democratic" place for holding county meetings, on Saturday last. We have the pleasure of knowing several of them, and knew the fathers of many others, whose names are given. This meeting and the proceedings had at it, composed as it was, will speak to the "democracy" of the county, at the polls in October next, a language that cannot be mistaken.

A letter was received and read at this meeting from *Richard H. Bayard*, esq. son of the late James A. Bayard, assigning his reasons for withdrawing his support from gen. Jackson's administration, and 'uniting himself, with the whig party in sustaining the constitution and laws.' The following letter from Mr. Bayard has also been published:

Wilmington, June 2d, 1834.

SIR: In the fall of the year eighteen hundred and thirty two I was elected a member of the senate of the state of Delaware, for the term of four years.

My name was presented at that time to the people of New Castle county, by the Jackson party as one of their candidates for that office, and my election was of course owing to their strength in the county.

The recent measures of the party as well as some of the doctrines of president Jackson, as their chief, in relation to the nature and extent of the powers of the executive department of the federal government, being, in my humble opinion, repugnant to the constitution of the United States, and having a tendency to change the nature of our institutions, prevent my continuing to be any longer one of its members.

Under these circumstances I cannot reconcile with my own sense of propriety the further occupation of an office which was obtained through their means, and which they may suppose would be still within their control, if it were an open question. I therefore, sir, hereby resign my seat in the senate of the state of Delaware. I have the honor to be very respectfully, your ob't servant,

R. H. BAYARD.

*Joshua Burton, esq. speaker of the senate of the state of Delaware.*

The result of various late elections, and the excited feeling that prevails among the people, shews, as we have always contended would be the case, that PARTY POLITICS are being, or about to be, discarded, in considerations that reach the heart and home of every man, unless a *petted office-holder*, or others living upon fixed incomes. The great question is not now "Jackson" or "anti-Jackson," though these words are still used to express ideas—it is whether our late public safety and private prosperity, under just interpretations of the constitution and a wholesome administration of the laws, shall be restored—or, the present confused and alarming state of the public mind and increase of private suffering, caused by a perseverance in the rash and ill-advised acts of one man, the president of the United States, shall be permitted to continue and extend the general excitement and general distress—and so the people, the *sovereign* people, will soon decide upon it, the blind leadings and abject followings of mere party men to the contrary notwithstanding. See, for an example, the state of things at Utica, New York, as made known in consequence of Mr. *Beardsley's* proceedings concerning a certain memorial from Oneida county. See the unity of all classes of persons, except attorneys, on these matters. It is so, or will be so, every where, among business men of all descriptions—and of persons who have a settled stake in the societies in which they live.

An election was held on the 29th ult. to fill the seat in congress vacated by the decease of Mr. *Dennis*, a representative from *Maryland*, and resulted in the choice of Mr. *John N. Steele*, (anti-Jackson) by an unprecedented majority.

This district is composed of Dorchester, Somerset and Worcester counties, and, at the election of 1833, gave Mr. *Dennis* a majority of only 210 votes.

	1833.	1834.
Dorchester	106 maj.	491 — maj.
Somerset	432 —	366 —
Worcester	116 —	311 —
	432	222 Steele's maj.
	222	1,163

Dennis's maj. 210

We do not think we venture much in saying, that if all the members of congress from Maryland were now to be elected, the whole except one (if one should remain), would be chosen by large majorities against the measures of the administration.

William A. Bradley, esq. has been elected mayor of Washington—for Mr. B. 546; for Mr. Peter Force 442. There was no "administration" candidate.

We can only notice the June report of the affairs of bank of the United States, to say, that it is still rapidly gaining strength, and has increased its specie more than 1,100,000 since 1st of May—the amount now being 12,298,333 dollars. How much is it to be regretted that the mighty means of this institution to relieve the public, dare not be used because of the war waged against it.

The "Albany Argus" copies a part of an article from the REGISTER of October 10, 1818, in which we called for the names of the stockholders of the bank of the United States, with the amount of the shares held by each, that the people might know them, and see the influences under which, individually, whether in or out of congress, they acted; and from this article would make an argument that the committee, recently at Philadelphia, was right in demanding a possession of the books of the bank, and copies of the private correspondence of members of congress, on all subjects relating to the business or affairs of the bank! This reminds us of a quaint saying which we think runs thus—"If his name is Joux, call him PETER."

The article alluded to had exclusive reference to the stockholders, some of whom were believed to have obtained, (as was really the case), enormous discounts or accommodations on hypothecations of the stock of the bank—whereby much public embarrassment was caused for their particular benefit. We called for those names—for we desired that all men should see the "length and breadth" of the proceedings alluded to; and still insist on it, that such monopolizations of the stock were PUBLIC matters—and so they have since been considered, for lists of the stockholders have been freely published; and the call that we made, though not satisfied at the time, has been complied with by the reformed administration of the bank, without scruple.

Now as this was the whole scope of the article of October, 1818—having reference only to the stockholders, considering them responsible "at the bar of the public reason," what is the nature of an argument that would apply the remarks made by us concerning them as public persons, to the private affairs of the bank, or the private correspondence of individuals with it?

It is not worth the while to speak further on this subject, unless to say, if a change of opinion had taken place, the editor of the "Argus" might have found an excuse for it in his own changed opinions of the "republicanism" of "Mister Jackson," in 1824, and his daily proclamations of the republicanism of president Jackson in 1834, &c.

We observe that the "Feds," or officers' paper at Philadelphia, has also published the article from the "Register." It says that it "gives the whole" of it. This is not even half-true. It is broken off at a very convenient place—for the next paragraph after the quotation given, asks—"And why should not such lists of the stockholders of all the banks be published annually," &c.

We shall only add—that, though in the excitement of the discussions in which we were engaged some 12 or 14 years ago, we said many things with a severity of manner which, in altered circumstances, the judgment

does not now altogether approve, and on account of some mistakes honestly committed—there is not a single principle laid down by us, in those discussions, that we do not yet entirely approve, except those which rested on our then entertained belief that the bank was unconstitutional; and those who quote what we said of the bank, as it was, are as unjust, (as has before been observed), if the comparison may be allowed, as it would be, to speak of the apostle Peter, as a base liar and ardent coward and knave, because of certain parts of his conduct—from which all the Christian world believes he was relieved by a subsequent adherence to truth, and by the constancy and valor with which he proclaimed it even to his own martyrdom.

[The preceding article has been deferred two weeks—once accidentally, and once of necessity.]

The Albany Daily Advertiser says that an anti-bank memorial to congress, from Watervliet, signed by 187 persons, had on it the names (which are given), of 19 public officers, 17 enlisted soldiers of the army of the United States at the arsenal, and of two persons who signed it twice.

The "Globe" of May 24, says—

"A blasting mildew is suddenly brought upon the business concerns of the country, and a prostration of trade and credit, to an extent supposed to have been hitherto unknown, is by some means effected."

The veteran printer and editor, col. *William Duane*, has issued proposals for "reviving and publishing the *Aurora*," at eight dollars by the year, payable half yearly.

The proposed editor wishes it understood that this paper will be conducted on the old principles of the "*Aurora*," of 1798; and he says, that—

"No compromise will be made of principles for subscriptions or advertising, nor any private or public interference submitted to, incompatible with the social interests and the freedom of the press.

"If the *Aurora* be revived, it must be by the people at large, not by any combinations with partial views; when there are no other funds or facilities, the resources can only be found in the support of the great body of the people—in the public fidelity to itself."

We heartily wish that our old friend may receive the fulness of public support; and, to assist in rendering it, we are ready to receive and forward, free of expense, subscriptions for the revived "*Aurora*," though not specially authorised so to do, nor particularly acquainted with the intentions of col. D. unless as stated in his public prospectus.

The French brig of war *Cuirassier*, has arrived at New York, with despatches for the government of the United States.

Edward Lloyd, esq. formerly governor of Maryland, senator in congress, &c. &c. died at Annapolis on Monday last, in the 55th year of his age.

Meetings of the people, and conventions of delegates appointed by them, are yet the "order of the day." An unusual degree of excitement prevails, and will gather strength as the autumn elections are approached. In Maine, New York, New Jersey, Pennsylvania, Georgia, Ohio, Indiana, and perhaps New Hampshire, Alabama, Illinois and Mississippi, some of the severest political battles ever fought will probably take place—the rest of the states may be considered at present decided, one way or another; but still much will depend upon the ground taken by different parties, and the persons offered for the suffrages of the people. The preparations making remind us of the contests of 1797–1800, when seemingly every man was acting as one of a "committee of vigilance."

Several great "whig" meetings have been held in New York—that at Ithaca was very large; and this party also claims some new "victories" in that state. A very numerous attended "Jackson" convention has been held at Trenton, New Jersey; at which were passed many earnest resolutions in support of the present administration of the general government. And on the 27th ult. a convention of delegates from every county in the state of

Pennsylvania, four excepted, was held at Harrisburgh, of which gen. *Henry Frick* was appointed chairman for the organization of the body, when *Joseph Lawrence*, of Washington county, (formerly a distinguished member of congress), was elected president, and *Ner Middle-swarth*, *Henry Frick*, and several others appointed vice presidents, with six secretaries, many of whom had recently been among the warmest supporters of the present administration. The business of the convention was opened by *John Sergeant*, of Philadelphia, and judge *Reed*, of Cumberland, &c. The members in attendance were more than 200.

Committees were appointed to draft resolutions—to prepare an address to the people of Pennsylvania, and a memorial to congress, and one also to bear it to Washington. The resolutions, address and memorial are strong papers—but cannot be made room for. The character of the whole may be gathered from the third resolution, as follows:

*Resolved*, That in the next elections for congress and the legislature, it be deemed an indispensable qualification of candidates, that they are heartily opposed to executive usurpation, truly attached to the representative system as established by the constitution, and ready to support the rightful authority of both houses of congress, against the encroachments, menaces and assaults of the executive.

The committee of thirty, to bear the memorial to Washington, met in that city on Monday morning last. It is composed of persons whose names are familiar in Pennsylvania. *John Sergeant* is chairman. It will be seen by the proceedings of congress that the memorial was presented and referred, &c. in the senate, on Tuesday last.

It is stated that between 70 and 80 members of this convention were, until recently, leading and decided friends of the administration. No nomination for governor, &c. was made, so far in advance, but arrangements were entered into for that purpose at a future meeting, and a spirit manifested that such nominations will obtain the support of all parties now in opposition to the present administration.

There has also been a great "whig festival" at Cincinnati, in honor of the "victories" in New York and Virginia—at which from 3,000 to 4,000 persons are said to have been present. Judge *Burnett*, late of the senate of the U. S. presided over the feast, and there was music, and discharges of 100 guns, and toasts in high style, with speeches, &c. to the full.

Mr. *Joseph White*, of Baltimore, has declined the place of bank director, to which he had been appointed by the president and senate, and it was reported in Philadelphia that Mr. *Roberts Vaux* would not serve. Mr. *Alley*, of New York, has accepted, and *E. D. Ingraham*, clerk to the investigating committee of the house of representatives, after the resignation of Mr. *Rush*, has been named in the place of Mr. *Horn*, rejected—but not yet approved by the senate.

Mr. *Saul Alley*, of New York, having consented to serve as a director, a few days ago presented himself at the office of the bank in N. York, in the board of which he claimed a seat. He was informed that no notice had been received of his appointment—on which he produced a commission; it was then said, that the powers conferred or duties enjoined by that commission were only to be exerted at the bank in Philadelphia—that no member of the parent board had ever attended a board of one of the offices as a matter of right, unless specially appointed for that purpose, nor voted on any occasion, &c. After a minute had been made on the proceedings, denying a right in Mr. *Alley* to a seat at the board, he withdrew.

Much is said in the New York papers concerning this matter. The issue of a commission is said to be a new thing, and that the rule heretofore was to notify the president of the bank at Philadelphia of the appointment of directors on the part of the United States, who thereupon notified the offices, with a request that, (as with respect to all the directors of the general board), they [the offices] would invite them to a seat at the board, but without the right of voting on any question that might come up before it. It is supposed that "the government" has refused to communicate with the bank, on this occasion.

On the presentation of a memorial against the removal of the deposits, &c. from the rich and populous, and, hitherto, exceedingly prosperous county of Oneida, N. Y. Mr. *Beardsley*, who was elected by a small majority, and now misrepresents it, addressing the speaker of the house, said—

“Sir, let us note the language of this letter—[one addressed to Mr. *Selden*], it states that the memorial has been approved and adopted by the business men of Utica. As I reside in Utica, I ought to know something of its business population. I have looked at the signatures to the memorial, and I aver that a very large number and proportion of the active business population of that place, have not signed the memorial.”

Some of the citizens of Utica, the names of several of whom are familiar to us from “times lang syne,” have taken up this subject, and addressed another letter to Mr. *Selden*, (too long for insertion), the substance of which is, that they have ascertained, (and in a way that appears to admit of no matter for controversy, as stated by them), that the whole number of business-men in Utica—that is, of persons who have “shops or known places of business” in that city, is 432; and that of these 358 signed the memorial discredited by Mr. *Beardsley*. The various trades and professions are put down, thus—

	Whole No.	Signers.
Blacksmiths, .....	17	15
Bakers, .....	8	7
Butehers, .....	12	12
Carpenter and joiners, .....	25	25
Dry good merchants, .....	41	40
Hardware do. ....	9	9
Forwarding merchants, .....	9	9
Grocers, .....	23	17
Stage proprietors, .....	6	6
Physicians, .....	14	10
Lawyers, .....	41	27
Masons and stone cutters, .....	14	13

And so on through a long list. We refer to this matter chiefly to shew what are the opinions of BUSINESS MEN, as to the measures of the government—for thus it is every where. In Baltimore, as stated in page 81, of the present vol. for another instance, the memorial against the removal of the deposits was signed by 183 business-firms, whereas that on the other side, was signed by only six business-firms—and of the former we knew, or could easily locate, 176—of the latter only one; and of the first and last 100 names on the first list we could identify 135 persons, on the same of the second list only 29!\* Mr. *Beardsley* has received an “instruction” on this subject that will not be easily passed over. Of the 432 business persons at Utica, 358 were signers, leaving only 74 for those who refused, or were absent from home, or had not, for any reason, a disposition or an ability to sign.

We may mention two other cases. A gentleman of Ohio recently called at the office of the REGISTER, saying that he had been a warm friend of the administration, but though he was then about two weeks in Baltimore doing business, he had not found one “Jackson man.” He was informed that such were scarce among business men, whether dealers, mechanics or manufacturers. And recently, in 70 cabin passengers in the steamboat *Ellen Douglas*, as we learn by a Louisville paper, it was ascertained that every man was opposed to the measures of the administration, though several of them had been among its supporters up to the time of the assault on the bank, &c.

The average “Jackson” majority in the state of New York, out of 323,393 votes, in 1832, was 12,040, of which latter the city of New York furnished 5,514. It is shewn that the late elections in the cities of New York, Albany and Troy, only, have comparatively reduced the whole majority of 12,040 to 5,888—and, with-

\*It appears, however, that a greater proportion than we had expected of the signers of this memorial are the names of real persons! The weekly applications to the commissioners for the benefit of the insolvent laws of Maryland, are from 12 to 16—and on almost every weekly list we find the names of from 3 to 5 of the signers of that memorial; who thus admit that there is a pressure, and so relieve themselves of it.

out reference to such reduction, it is said that the change of eight votes in every township or ward in the state, will make an entire change in the political character of the state, at the November elections—for which the adverse parties are making great preparations.

A pair of horses, attached to a light wagon, were trotted 100 miles, in 10 successive hours, round the trotting course, near New York, and had 2 m. 25 sec. to spare. Heavy bets were depending on the issue of this performance. The horses, in the last twenty miles suffered dreadfully, and are said to have been very severely used.

It has been for some years believed that a vast continent existed in the south—land having been discovered in different places, and we all know that the invincible enterprise and courage of our “Yankee” brothers long and secretly carried on the fur-seal fisheries in the south, realising large profits from their discoveries. It now appears that a vessel called the *Tula*, which had visited Hobart Town, the capital of *Van Dieman's Land*, and was thought to be a pirate from the mystery which attended the proceedings of her officers and crew, has frequently visited far-southern lands, from the longitude of Madagascar to that of the Cape of Good Hope; and this new continent is supposed to extend from lon. 47 east to 69 west—and that, on the 21st Feb. 1832, capt. Briscoe, of the *Tula*, landed on an island which he called *Ade-laide*, in honor of the British queen, and then on the continent, which he took possession of in the name of his king. The appearance, however, was one of utter desolation, there being no vestige either of vegetable or animal life. Vast mountains, covered with snow, were seen in all southern directions. Particulars of these discoveries may be expected.

We have sometimes spoken of foreign paupers and foreign rogues discharged upon our shores, in terms that individuals have thought too severe—but such do not justly appreciate the extent of the evils which we suffer from them. We offer two examples.

On the 1st May, inst. there were in the New York alms house 1,693 persons—of these 460 were Irish, 140 English, 47 German, 35 Scotch, 11 French and 23 others—together 669, and there were 36 whose country was unknown—leaving 938, in which is included the miserable free blacks that abound in that city.

The Pennsylvanian publishes the following as extracted from a private letter to a gentleman in Philadelphia, dated, London, 1st May, 1834.

\* \* \* \* \* “Tell your police officers to be on the look out—for there are half a score of suspicious fellows on board the ——— which sails for New York tomorrow.”

This is too bad. We learn from an intelligent English gentleman, that from the information he had received of a Bond street officer in London, the day before his embarkation for this country; it was his firm conviction that gangs of pickpockets in London, despatched an agent to this port frequently, for the purpose of ascertaining the “state of business” here. No wonder that col. Hamilton is of the opinion there are more pickpockets in New York than London, when his own country supplies them.

[N. Y. Sun.] And we lately noticed a frustration of the design of a gang of murderers that were about to honor us with a visit.

The state of things in Canada begins to excite much attention in the British parliament, and some of the members freely express an apprehension that the people of that important colony may cast off their allegiance, and seek admission into the American union. No other possession of the crown is more important to the navigating interests of Great Britain than the Canadas. The present season has, however, been unfortunate in this respect—a short time since, and apparently in one or two days, the loss of thirteen vessels, with about six hundred passengers, chiefly from Ireland, bound for Quebec, was heard of at that port; and the sufferings of some others who escaped with their lives, were dreadful. A

rush of emigrants seems to have been made at too early a period in the season. The navigation of the St. Lawrence is exceedingly dangerous and difficult and severe, at the breaking up of a Canadian winter. Many of those lost were persons of property—having from 2 to £3,000 in gold, which was lost with them. We have not room for the details. The cholera, also, had carried off some of the passengers.

It is believed, however, that more than 8,000 emigrants had arrived at Quebec in the present season, up to the 27th May! Up to the same day last year, the number was only 1,109.

#### BANKS AND BANKING, MONEY, &c.

We publish the statement of the affairs of the bank of Maryland, as presented to the creditors by two of the trustees. There are several of the items that invite the severest comments—but we shall not offer them now, for general reasons assigned a few weeks since. The present selling price of the notes of this bank and its certificates of deposits, is about, or less than 40 cents in the dollar, at which rate the debtors of the bank have satisfied heavy claims against them.

The affairs of the *United States Insurance company*, of Baltimore, which failed soon after the bank of Maryland, have been brought before the county court by an injunction on behalf of the creditors—and, after certain strange developments, and the argument of counsel, three gentlemen were appointed receivers, for the benefit of the creditors. It is presumed that they will also publish a statement.

The concerns of the *Maryland Savings Institution* do not appear quite as bad as they did, and depositors are expected to receive a larger dividend than was at first hoped for. It seems, however, agreed, that the stock of the institution is worthless. The present price of certificates of deposits, are from 65 to 70 cents in the dollar.

The failure of the bank of *Salisbury*, on the Eastern Shore of Maryland, has been followed by that of the bank of *Milington*.\* This branch of the old Farmers bank, at Easton, remains firm, and bears its usual good credit, except that the people of the Eastern Shore, in many instances, reject all bank paper, except that of the bank of the United States.

The *Washington Globe* states that the whole revenue of the present year will probably exceed the estimates full 6,000,000 dollars, and that the revenue from imposts alone will probably show an excess over the estimates of more than \$2,000,000.

[There has been a considerable increase from the sales of the public lands, but if the customs shall give only two millions on the estimate, we are much at a loss to conjecture the sources from whence the four other millions are to be derived. We rather suppose there is some mistake in this matter, and that an excess over the estimate for the first quarter of the present year, will not carry its proportion through the other quarters of the year, on account of the reduced amount of engagements made in consequence of the contraction and derangement of the currency. "Nous verrons!"]

There have been some very extensive forgeries at New Orleans, and a large deficit has been discovered in the "Consolidated Association bank"—the cashier and two clerks of which had been arrested and held to 25,000 dollars bail, each—but have since disappeared.

The Mechanics bank at *Paterson*, New Jersey, has stopped payment.

Though money is so plentiful in England as to be loaned at 2½ and 3 per cent. per annum, the "New York Journal of Commerce" informs that large quantities of American stocks are coming from abroad for sale here! This is an important fruit of the baneful "experiment" that is going on, and has succeeded in crushing "credit" in a wonderful manner. If it is much longer persisted in, there will be a much lessened complaint about foreign holders of our stocks—provided always, they can find American purchasers of them; and millions of capital that we have used with incalculable advantage, will be retired from us. To prevent such results has been the steady policy of all the statesmen who preceded the present party in power, and will be the policy of those who succeed them: for the United States, if prosperous, will long need foreign capital to aid in the clearing and settling of our wild lands, the establishment of manufactories, and the making of roads and canals, and all those new things which a growing and expanding population requires.

#### TWENTY-THIRD CONGRESS—FIRST SESSION.

##### SENATE.

May 30. The bill to regulate the value of certain gold and silver coins, was considered, twice read and referred.

\*It is since stated that this bank only suspended payment for a few days, in consequence of the election of a new board of directors—some of whom were objectionable to many of the stockholders; but that as these had resigned, and, the old ones being restored, the bank would speedily resume its usual business.

The bill for the better organization of the marine corps was considered, amended so as to abolish the right in future to brevet rank, not only in the marine corps but in the army generally, and ordered to be engrossed for a third reading.

Mr. Clay made an unsuccessful attempt to take up his resolutions on the subject of the public deposits; but the chair deciding his motion out of order, he gave notice that he would call them up again on Monday next.

The bill making a grant of lands to establish an institution for teaching the deaf and dumb, was read the second time and laid on the table. The senate then adjourned.

May 31. On motion of Mr. Ewing, the bill to settle the northern boundary line of the state of Ohio was made the order of the day for Wednesday next.

On motion of Mr. Chambers the bill providing indemnity for French spoiliations was made the order of the day for next Monday week.

After considering and disposing of several bills of a private or local character, the senate adjourned.

June 2. Memorials, &c. remonstrating against the removal of the deposits were presented by Mr. McKean, of Pa. from the democratic free association of the Northern Liberties of Philadelphia; by Mr. Sprague, from 450 citizens of Augusta, Maine; by Mr. Clay, from 5 or 600 citizens of Bourbon county, Kentucky; by Mr. Southard, from Gloucester, N. J.; which were severally read, referred, &c.

Mr. Southard presented two memorials and proceedings from the county of Hunterdon, from the state convention recently held in Trenton, N. J. approving the measures of the executive, condemning, in strong terms, the course of the two senators from that state, and particularly condemning the resolutions of the senate in relation to the removal of the deposits. A debate ensued, in which the printing and reference of these resolutions was opposed by Messrs. Clayton, Ewing and Poindester, and supported by Messrs. Forsyth and Chambers.

Mr. Clayton moved to lay the 9th resolution of the Hunterdon proceedings on the table as being exceptionable and indecorous.

Mr. Frelinghuysen moved to add the 11th resolution as equally indecorous and insulting.

Mr. Clay moved to lay the whole subject on the table, which motion was decided in the affirmative, yeas 21, nays 18.

Mr. Grundy reported a bill placing periodical pamphlets on the same rate of postage as newspapers, and extending the franking privilege to the chief engineer of the war department.

On motion of Mr. Clay, the senate then by a vote of 24 to 16, took up the joint resolutions moved by him on the subject of the public deposits; when

Mr. Clay expressed his wish that no unnecessary time would be taken up in their discussion; but that they might be passed upon this day. He did not intend to say a word unless the course taken by gentlemen on the other side should render it necessary for him to do so.

Mr. Benton addressed the senate at length, and moved indefinitely to postpone the resolutions, proposing, if that motion should prevail, to submit, as a substitute, an amendment substantially the same as the bill reported by Mr. Polk in the other house, providing for the future disposition of the public revenue in the state banks.

On motion of Mr. Clay, the question of indefinite postponement was then put, and decided in the negative as follows, yeas 13, nays 29.

Mr. Benton then moved to amend the resolutions by striking out all after the word "Resolved" and inserting the whole of the bill reported by Mr. Polk in the house of representatives.

A discussion ensued in which Messrs. Clayton, Wright, Clay, Shepley and Benton participated; and the question being taken by yeas and nays, Mr. Benton's amendment was rejected, yeas 14, nays 31.

Mr. Benton moved to commit the resolutions to the committee of finance with instructions to report an amendment, regulating the deposits of public money in the state banks.

On this amendment he asked the yeas and nays, which were ordered.

The question was then taken on the motion to amend, and decided in the negative, as follows:

YEAS—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Linn, Morris, Shepley, White, Wilkins, Wright—13.

NAYS—Messrs. Bell, Bibb, Black, Cathoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, Leigh, McKean, Mangum, Naudain, Poindester, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tipton, Tomlinson, Tyler, Waggaman, Webster—32.

Mr. Forsyth asked for a division of the resolutions, and read a resolution which he would offer as a substitute if the gentleman on the other side would give him their support. The resolution authorised the issuing of a *scire facias* to try the bank on certain counts that were specified.

Mr. Clay could not take the resolution as a substitute for his; but would give the gentleman his entire support, if he would bring forward a distinct proposition for issuing a *scire facias* to try whether the bank has or has not violated its charter. For such a proposition he would give the gentleman a *carte blanche* to fill up as he pleased.

Mr. Webster signified his assent to this statement, and Mr. Clayton was also willing to give his vote to any distinct proposition for a *scire facias*, founded on a report of the committee of the house.

Mr. Forsyth said he had not intended to press for a *scire facias*; he would not move it distinctly, but was willing to make it as a substitute, it would occasion much distress, and he was willing to share the responsibility with the gentlemen on the other side.

Mr. Clayton said there was a report of a committee on which a *scire facias* might issue; or the president could, of himself, issue one.

Mr. Forsyth admitted the course indicated by the gentleman from Delaware was the correct one; but he could not advise the president; he had no connexion with him.

After a few more remarks by Mr. Clayton, and a short reply by Mr. Forsyth, the resolutions were ordered to be engrossed for a third reading; and then the senate adjourned.

June 3. Mr. McKean said, a committee of thirty citizens of the first respectability, from various sections of Pennsylvania, all of whom, he believed, were now in the lobby of the senate, had honored him by putting into his charge a memorial to be presented to the senate, signed by more than 200 delegates from the different counties of that state, who assembled at Harrisburgh, the seat of government, on the 27th ult., to consult as to the causes of public distress and mode of relief. And though, he said, a difference of political opinion, as well as on questions of abstract expediency, existed between a portion of the memorialists and himself, it was nevertheless his desire to represent them fairly, and it was no less his pride than his duty to say, that this convention comprised as much of respectability, talent, and weight of public and private character, as any convention of men that had assembled any where within his knowledge, and whose experience entitled their opinions to the most respectful consideration.

He had been furnished with a statement shewing the general, as well as political complexion of the convention, and he took occasion to say, that the latter was corroborated by his own knowledge of the facts as stated. The whole number of delegates present was 299; of this number, 75 were original Jackson men, about 30 of whom supported general Jackson in 1833. Delegates were appointed from 48 counties, and delegates were in actual attendance from 44 counties, including the city of Philadelphia, accidents having prevented the attendance from the other 4. He had been particularly instructed to say, that the entire proceedings had been distinguished for harmony, unanimity and zeal, and that the whole character of the convention furnished the strongest evidence of a great political change in Pennsylvania, and a growing opposition to the recent measures of the present administration of the general government. The memorial was written with great force and ability, and condemns, *in toto*, the conduct of the executive branch of the government in reference to the bank; to which cause they ascribe all the present distresses of the country, and ask congress for relief.

Mr. McKean then presented the memorial, and moved that it be read, referred to the committee of finance and printed with the names.

The memorial having been read, a debate ensued, in which Messrs. Webster, Forsyth and Clay took part, and which continued until after 3 o'clock, when the memorial was referred, &c.

The resolution from the other house on the subject of fixing the 30th June as the day for the adjournment of congress being taken up, was, after an unsuccessful attempt to lay it on the table for a week or two, postponed until Monday next by a vote of yeas 23, nays 22.

The joint resolutions offered by Mr. Clay on the subject of the public deposits, were then considered, and the question being on the first one, declaring the reasons of the secretary of the treasury for the removal of the deposits to be unsatisfactory and insufficient, the yeas and nays were ordered, and the question decided in the affirmative, as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, King, of Gen., Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—29.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Linn, McKean, Morris, Robinson, Shepley, Tipton, White, Wilkins, Wright—16.

So the first resolution was passed.

The second resolution, directing the restoration of the deposits to the United States bank after the first day of July next, was, on motion of Mr. Forsyth, with the assent of Mr. Clay, postponed until to-morrow.

After passing several bills of a private or local character,

The bill making appropriations for the Indian department for the year 1834; and

The bill for the better organization of the marine corps, were severally considered, read the third time and passed; and then the senate adjourned.

June 4. Mr. McKean presented a memorial from Northampton county, Pennsylvania, complaining of the pecuniary embarrassments produced by the removal of the deposits, and praying congress to grant relief—referred, &c.

Mr. Wright offered a resolution inquiring into the propriety of allowing to Mr. Elisha R. Potter pay and mileage from the commencement of the session up to the time of the decision of the contest for a seat between him and Mr. Robbins.

The first of the joint resolutions submitted by Mr. Clay, condemning the removal of the public moneys from the bank of the United States, having passed yesterday,

The second resolution requiring the deposits of the public money to be made in the bank of the United States after the 1st day of July next, was then considered; and, after some remarks from Messrs. King, of Georgia, Preston, Forsyth and Benton,

Mr. McKean said he would say a word before the vote was taken. After all that had been said both in and out of congress about distress for six months, this was the first and only opportunity afforded to any senator to vote for a proposition favoring of relief; and without having changed his opinions in the least, in reference to the whole subject, he intended to vote for this resolution, not because he believed it would produce essential relief, but because a vast majority of his constituents who had spoken on the subject had complained of deep distress, and expressed a confident belief that a restoration of the deposits will grant relief. This had not been confined alone to the opponents of the administration. He considered it a question of sheer expediency, and one which he presumed many of his constituents could judge of more correctly than himself, and he did not feel himself at liberty to oppose their will.

The question was then taken on the passage of the resolution, and decided as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, McKean, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—26.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hill, Kane, King, of Alabama, Linn, McKean, Morris, Robinson, Shepley, Tipton, White, Wilkins, Wright—16.

So the resolutions were both passed, and sent to the house of representatives for concurrence.

After attending to some other business, the senate adjourned.

June 5. Mr. Clay presented the proceedings of a large and respectable meeting of the citizens of Scott county, Ky. denouncing the claims to power recently asserted by the president—read, referred, &c. At the conclusion of a few remarks made by Mr. Clay, he took an opportunity again to say, that it is now more than twelve months since we had a secretary of the treasury appointed in the constitutional form, by the president and senate, &c.

Mr. Poindexter, by leave, introduced a bill providing for an extra [early] session of congress—read a first and second time, and made the order of the day for Monday next.

The resolution relative to inquiring into the propriety of allowing Elisha R. Potter pay and mileage, was agreed to.

The bill granting to the state of Ohio a quantity of land to establish schools in the Western Reserve, was read the second time and ordered to a third reading.

The resolution submitted by Mr. Preston, some days since, relative to the pension system, was considered and agreed to.

The bill to establish the northern boundary line of the state of Ohio was read a second time and ordered to be engrossed for a third reading.

Mr. Bibb, from the select committee, to whom was referred the joint resolutions for amending the constitution of the United States, made a report, which was ordered to be printed.

The bill to revive and continue in force the act granting pensions to certain widows and orphans of persons killed in battle in the private armed vessels of the United States: and

The bill supplementary to the act for opening a canal between the Appalachian river and the St. Andrew's bay, were severally read a second time and ordered to be engrossed for a third reading. The senate then adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, May 30. After the reading of the journal—

Mr. Speaker Stevenson rose and informed the house that he had taken the chair this morning, though still laboring under severe and continued indisposition, for the purpose of opening the house, and preventing any delay in its business; and likewise for the purpose of announcing his determination of resigning the speaker's chair and his seat in congress. This, he proposed doing on Monday next at 11 o'clock. He had formed this resolution under a deep sense of duty, and because his state of health rendered it impossible for him, (as must be apparent to the house), to discharge in person the laborious duties of the chair; and he had therefore deemed it respectful and proper to give this early notice of his intention to retire.

Mr. Heath, by leave, reported a joint resolution authorizing a subscription for one hundred copies of W. B. Barney's chart of foreign coasts.

Mr. Chiles reported a bill authorizing a subscription of one hundred thousand dollars to the stock of the Alexandria canal.

The house then proceeded to the consideration of the reports in the case of the Kentucky election, whereupon,

Mr. Hubbard, (the speaker pro tem.) stated the question before the house to be the amendment offered by Mr. Jones to that of Mr. Banks, to wit, to count the votes given in Garrard county during the absence of the sheriff.

Mr. Banks accepted Mr. Jones' amendment, and moved a modification of his resolution, specifying the votes thus taken, and for whom given.

Mr. Letcher thereupon rose, and addressed the house in an animated appeal to their justice, invoked them to come to the decision uninfluenced by party, met the arguments of the ma-

[\*Absent. Mr. Tallmadge, of New York, Mr. Chambers, of Md., Mr. Hendricks, of Indiana, and Mr. Moore, of Alabama.]

majority of the committee, and examined the evidence in the case with much power. After thanking the committee for their good feeling towards him which had dictated the insertion of a resolution recommending a pecuniary allowance of pay and mileage, he declared his unalterable determination not to accept any thing, unless the seat in the house, claimed by him, should be awarded to him.

Mr. Letcher having spoken until past 3 o'clock,

Mr. *Humer*, in order to allow Mr. *Moore* time to reply to Mr. Letcher, moved that the house now adjourn, and the house thereupon adjourned.

*Saturday, May 31.* Mr. *Merce*r reported a bill authorizing examinations, surveys and estimates for the construction of roads and the improvement of certain rivers and harbors—twice read and committed.

Mr. *Merce*r presented a resolution which was read and agreed to, calling for information respecting the cost of constructing the contemplated embankment across the swamps and water courses between a point on the Mississippi opposite the town of Memphis, in Tennessee, and the high ground west of St. Francis river, and also whether the road from Memphis to Little Rock requires a further sum for its completion.

The bill giving the consent of congress to an agreement entered into between the states of New York and New Jersey respecting the territorial limits and jurisdiction of said states, was postponed until Wednesday next.

After attending to various matters of a private or local character—the house proceeded to the consideration of the reports in the case of the Kentucky election; when

Mr. *Moore* addressed the house at length in support of the report of the committee, and in vindication of his right to a seat in this house; and having concluded,

Mr. *Leavitt* moved for the previous question, but the house refused to second the call—ayes 68, noes 102.

Mr. *Hardin* rose and addressed the house, at considerable length, in support of Mr. Letcher's claim to the seat.

Mr. *McKinley* replied, and argued the case as a naked question of law, and in favor of Mr. *Moore*.

Mr. *Chilton Allan* followed in support of Mr. Letcher's claim, and before he concluded, moved a call of the house, which was ordered, and the absentees sent for.

Mr. *Williams* suggested that the absentees had not all appeared, and moved that their names be again called.

The chair decided it to be out of order.

The question was then put on Mr. *Banks*' first amendment.

Mr. *Marshall* moved a verbal amendment which was agreed to.

Mr. *Bearsley*, of New York, then rose and said that conceiving the votes on the several amendments proposed would have no effect on the final result, because they would not change the opinion of those who dissented from them, moved the previous question: but the house refused to second the call—ayes 69, noes 108.

Mr. *Moore*, of Va. suggested a modification of Mr. *Banks*' amendment, which the latter accepted, viz: to move it as an addition to the first resolution reported by the committee on elections, and leave the name of Mr. *Moore* to be stricken out, or retained upon the final vote.

After some conversation as to the best form of putting the question, the chair stated it to be as follows:

The first resolution reported by the committee on elections is in the words following:

Resolved, That *Thomas P. Moore* be declared entitled to his seat as representative for the 5th congressional district of Kentucky.

The amendment moved by Mr. *Banks* was to the following effect:

That all the qualified voters received in Lancaster, Garrard county, while Moses Grant acted as one of the judges, on the first morning of the election be counted.

That the votes of a like character given on the second day during the absence of the sheriff, should also be counted.

That nine votes named, given in Mercer county for Mr. *Letcher*, and one for Mr. *Moore*, should also be counted.

That six votes named, who voted for Mr. *Letcher* and who were added to the votes of Mr. *Moore* in Mercer county, be taken from the number of votes allowed by the majority of the committee to Mr. *Moore*, and added to those counted for Mr. *Letcher*.

That two votes, named, in Anderson county, and eleven in Jessamine county, be counted for Mr. *Letcher*.

The question upon this amendment, at the request of Mr. *Jones*, having been divided—

The question was put on agreeing to the first clause of this amendment, and decided by yeas and nays as follows:

YEAS—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Chilton Allan, Anthony Archer, Ashley, Banks, Barber, Barnitz, Barringer, Baylies, Beatty, James M. Bell, Briggs, Bull, Burd, Burgess, Cage, Cantrill, Carmichael, Casey, Chambers, Chilton, Choate, William Clark, Clayton, Clowney, Corwin, Coulter, Crane, Crockett, Darlington, W. R. Davis, A. Davis, Davenport, Deberry, Deming, Denny, Dickson, Duncan, Ellsworth, Evans, Edward Everett, Horace Everett, Ewing, Felder, Foster, Philo C. Fuller, Gamble, Garland, Gholson, Gilmer, Gordon, Graham, Grayson, Grennell, Griffin, Hiland Hall, Hard, Hardin, James Harper, Hazeltine, Heath, Henderson, Heister, Jabez W. Huntington, Jackson, William Cost Johnson, King, Kinnard, Laporte, Lay, Lewis, Lincoln, Love, Martindale,

Marshall, McComas, McKay, McKennan, McKinley, Mercer, Miller, Moore, Patton, Pinckney, Potts, Ramsay, Reicher, Selden, Wm. B. Shepard, Augustus H. Shepperd, Wm. Slade, Sloane, Spangler, Stewart, Stoddard, Wm. P. Taylor, Philemon Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, Watnough, Wayne, E. D. White, Eliza Whitesey, Wilde, Williams, Wilson—112.

NAYS—Messrs. John Adams, Wm. Allen, Bean, Bearsley, Beaumont, John Bell, Blair, Boeke, Bodie, Boon, Bouldin, Brown, Bunch, Burns, Bynum, Cambieler, Carr, Chaney, S. Clark, Clay, Coffee, Connor, Cramer, Day, Dickerson, Dickson, Dumlaf, Forrester, Fowler, Wm. K. Fuller, Galbraith, Gillet, Joseph Hall, Halsey, Hamer, Hannegan, Joseph M. Harper, Harrison, Hathaway, Howell, Hubbard, Abel Huntington, Jarvis, Richard M. Johnson, Noah Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagh, Lane, Lansing, Luke Lea, Thos. Lee, Leavitt, Loyall, Lucas, Lyon, Lytle, Abijah Mann, Joel K. Mann, Mardis, Moses Mason, McIntire, McKim, McLeane, McKeay, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, Peyton, P. Pierce, Pierson, Plummer, Polk, Pope, Schenck, Selley, Shian, C. Slade, Smith, Speight, Standifler, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turill, Vanderpoel, Van Houten, Wagener, Ward, Wardwell, Webster, Whalon, C. P. White, Wise—102.

So the first clause of the amendment was agreed to.

The question was then put on the second member of said amendment and decided in the affirmative—yeas 131, nays 84.

So the second clause of the amendment was agreed to.

The question was then stated that the house do agree to the third member of the said amendment; and a further division of the question on this member was called for, so as to accept the names of two of the persons designated in Mercer county as among those that ought to be counted for Mr. Letcher; and the question being put that the house do agree to the same with the exception of the two names mentioned, was decided as follows: yeas 119, nays 96.

So as accepted the third clause was agreed to.

The question on the remainder of the third clause was then taken and decided as follows, yeas 112, nays 103.

So the accepted part of the third clause was also agreed to.

The question then recurred on the fourth member of the said amendment when Mr. *Banks* moved a modification striking out the name of one of the persons who had voted for Mr. *Letcher*, but whose names had been transferred to Mr. *Moore* in Mercer county, after being erased from the list of Mr. *Letcher*, so as to add five instead of six votes to Mr. Letcher as above.

And the question being taken, that the house do agree to the said fourth member, as modified, was decided as follows, yeas 119, nays 95.

So the fourth clause as amended was agreed to.

The question then recurred on the 5th and last member of the amendment proposed by Mr. *Banks* as above stated.

When a discussion ensued, in which Messrs. Gholson, Chilton Allan, Ellsworth, Pope, Hardin and Banks took part, and before any decision was had thereon,

On motion of Mr. *Muhlenberg*, the house, at half past 8 o'clock adjourned.

*Monday, June 2.* As soon as the journal was read, the speaker rose and addressed the house, in substance as follows—[abstracted from the full report in the National Intelligencer.]

Having communicated to the executive of Virginia his resignation as one of the representatives from that state in the present congress, he had come to the house this day for the purpose of announcing in person his resignation of the office of speaker of the house. The dissolution, perhaps, forever, of those intimate associations which had existed between them was calculated to excite painful sensations. In taking his leave, he offered the house his best and most cordial wishes for their individual prosperity and happiness and took pleasure in expressing thus publicly his grateful acknowledgments for the kindness and confidence by which he had been so long distinguished and honored; the recollection of which he could cherish with warm and devoted gratitude. His obligations were deep to the house, and go where he might, or in whatever situation in which he might be placed, he would continue to the last hour of his life to preserve those sentiments of profound respect and affectionate gratitude which the long continued kindness of the house had so deeply impressed upon his heart.

The duty of the presiding officer of a great deliberative assembly like this, was no easy task. His administration of its duties for seven years had taught him to know and feel how difficult, nay impossible it is for any man to free himself from error or censure in this chair, or give unqualified satisfaction! The period of his service had been distinguished by events especially calculated to render his station one of more than ordinary delicacy and embarrassment, as well as of increased responsibility and labor. He had devoted his time and talents, and even his health, to this house. He had struggled to discharge the duties of the chair in a manner worthy of it, and of himself, how well he had succeeded, it was for others to decide; but this he might be pardoned for saying, in justice and fairness to himself and under a deep conviction of its truth, that he had endeavored to discharge his duty with temper, justice and moderation, and with a just regard for the individual rights and feelings, the character and dignity of this house and his own honor.

His conduct might sometimes be thought too harsh and rigorous, and he may have often unintentionally, have wounded the

feelings of individual members upon this floor, and incurred their censure and displeasure. If, then, under the influence of momentary excitement and passion; if in the eagerness of controversy or the commotion of debate, any thing unkind or harsh should have been said or done, let us forgive and forget it, and let us separate in the spirit of peace and good will.

Although the country was deeply and painfully excited, and its councils too greatly divided, it was to be hoped that it was subsiding. At such a time it was the duty of the liberal and the wise and the good, in public and private life, without distinction of party, to unite for the purpose of healing these divisions and giving peace and repose to the public mind. It was especially the duty of those who wield the public councils to pour oil upon this stormy sea, and still its troubled waters.

This was the last time he should ever address the house from this chair, he would separate this day from many to meet no more; and he prayed God to protect and bless them and his country; and he tendered to them this his last and affectionate farewell.

After Mr. Stevenson had concluded, and retired from the chair, Mr. Mercer rose, and moved that the house do now proceed to the election of a speaker.

The motion was seconded by Mr. Williams, and the question being put by the clerk of the house, the motion was agreed to.

Thereupon W. S. Franklin, clerk of the house, nominated Mr. McKinley, Mr. Forester, Mr. E. Whittlesey, Mr. Schley, Mr. Muhlenberg, and Mr. Bynum, to act as tellers.

The balloting having proceeded, and the ballots having been counted, the result of the balloting was reported as follows:

	1st ballot.	2d do.	3d do.	4th do.	5th do.	6th do.	7th do.	8th do.	9th do.	10th do.
R. H. Wilde, Georgia,.....	64	64	59	49	37	24	16	11	11	11
James K. Polk, Tenn.....	42	53	57	59	67	67	73	78	76	78
Joel B. Sutherland, Pa.....	34	30	26	25	16	16	10	9	4	2
John Bell, Tennessee.....	30	39	47	49	57	65	76	97	104	114
Jesse Speight, N. C.....	18	16	8	4	3	1	3	3	2	1
J. M. Wayne, Georgia,.....	15	13	15	25	30	36	26	13	8	6
Lewis Williams,.....	4									
Edward Everett,.....	3	1								
Thomas Chilton,.....	2									
Henry Hubbard,.....	2	1	1	2	1					
Roger L. Gamble,.....	1									
G. R. Gilmer,.....	1	1								
William S. Archer,.....			1							
David Crockett,.....			1							
Benjamin Hardin,.....			1							
Amos Lane,.....				1						
Thomas A. Marshall,.....					1					
John Q. Adams,.....						2				
Richard Coulter,.....						1				
Horace Binney,.....							1			
Blanks,.....	4	2	4	7	5		10	7	6	6
	220	223	219	221	219	209	215	219	221	218

Whereupon, on the tenth ballot, the honorable John Bell, of Tennessee, having received the votes of a majority of the house, was declared duly elected speaker, and Messrs. J. Q. Adams and R. M. Johnson, conducted the speaker elect to the chair, when he delivered a short but appropriate address. Mr. Williams, of North Carolina, the senior member of the house, administered to him the oath of office, and then the house adjourned.

Tuesday, June 3. After various bills of a private or local character had been reported and attended to—

Mr. Stoddert reported a bill prohibiting the banks in the District of Columbia, after the year 1839, from issuing any notes of a less denomination than ten dollars—twice read and committed.

Mr. John Q. Adams made a motion that this day be assigned for the reception of memorials, as the previous day which was specially assigned to such business had been occupied with the election of a speaker.

Mr. Williams objecting, Mr. Denny moved a suspension of the rule, which the house refused to do.

The house then proceeded to the consideration of the reports on the contested Kentucky election.

The question being the amendment proposed by Mr. Banks that certain votes in Anderson and Jessamine counties, be counted for Robert P. Letcher.

Mr. Banks modified it by striking out three of the names in the latter county, and advocated his amendment at length.

Mr. Jones supported the views of the majority of the committee, in rejecting all these votes.

The debate was continued by Messrs. Marshall, Hardin, Clayton, Chilton Allan, Chilton, Burgess, Adams, Beatty, Williams, Briggs and Wayne, on the side of Mr. Letcher's claim, and by Messrs. Pope, Hlanegan, Vanderpool, Hamer, Peyton, A. Mann and Hubbard, on that of Mr. Moore.

Mr. Lane moved an adjournment, which prevailing, the house adjourned.

Wednesday, June 4. Mr. Whittlesey having made several reports on private claims,

Mr. E. Everett submitted joint resolutions, distributing the copies of the diplomatic correspondence from 1783 to 1789, which, after debate, were ordered to be engrossed for a third reading, yeas 110, nays 57.

The house then resumed the consideration of the reports on the Kentucky contested election.

Mr. Lane, who had the floor, waived his right to speak, so as to allow a vote to be taken on the main question.

[As we cannot, without the occupancy of more room than can be spared for it, make an intelligible statement of the points discussed—we shall simply say, that the remainder of the day was occupied with this subject, and that the house adjourned without disposing of the case.]

Thursday, June 5. The resolution relative to the distribution of the diplomatic correspondence of the U. States, was passed and sent to the senate for concurrence.

The resolution giving the right of way through the U. States' property at Harpers' Ferry to the Winchester rail road was agreed to.

The bills in relation to the governments of the territories of Michigan, Florida and Arkansas, were severally taken up in committee of the whole, and after some progress being made therein, severally laid aside.

The bill to create two additional land districts in the territory of Arkansas;

The bill to authorise the president to open certain roads in Arkansas;

The bill authorising the president to cut a road from the northern boundary of Florida to the town of Appalachicola; and

The bill making an appropriation to construct a road from Columbia to Little Rock, in the territory of Arkansas, were severally considered in committee, and reported to the house; when the house adjourned.

A SQUAD OF "FEDS.\*"

Treasury department April 2, 1834.

SIR—I have the honor to transmit you herewith, in compliance with the request made in your letter of the 24th ultimo, a statement (furnished by the register of the treasury, exhibiting the amount of revenue collected in the district of Genesee, together with a list of the persons employed in the collection of the same, and the amount paid to each during the years 1831, 1832 and 1833.

K. B. TANNEY,  
secretary of the treasury.

Hon. Fred'k Whittlesey, house of rep. Washington.

Statement, exhibiting the gross amount of revenue received at the port of Genesee, in the state of New York, and the expenses of collection of the same, during the years 1831, '32 and '33.

	1831.	1832.	1833.
Gross amount of revenue	\$1,690 22	755 95	848 48
Expenses of collection	3,775 30	4,263 64	4,198 64

Statement of the persons employed in the collection of the revenue in the district of Genesee, and the amount paid to each in the years ending on the 31st day of December, 1831, '32 and '33.

Names.	office.	1831.	1832.	1833.
Jacob Gould, collector,		1,014 00	1,160 64	1,160 64
G. H. Holden, inspector,		1,092 00	1,098 00	1,095 00
Ryan Green, do.		730 00	732 00	730 00
Ben. E. Lathrop, do.		106 29	262 00	
George Gould, do.		768 00		
Jasp. Drake, jr. do.		165 01	246 00	240 00
D. S. Holden, do.		30 00	45 00	148 00
Henry O'Reiley, do.			720 00	825 00

\$3,775 30 4,263 63 4,198 64  
Treasury department, register's office, April 26, 1834.

J. L. SMITH, register.

§3—Only 848 dollars 48 cents revenue, against 4,198 dollars and 64 cents, paid to this little squad of officers, in 1833—or five dollars paid out for one dollar paid in! Verily, Messrs. Gould & Co. have a snug birth of it, and a "glorious" division of "spoils."

The Rochester "Democrat" from which the preceding statement is copied, fearlessly insists that the true amount of these operations is yet concealed—that the "veil of secrecy" has been drawn over them; and says that the whole duties required might be performed by a single man—this looks reasonable, as the whole revenue is less than 850 dollars.

The "Albany Argus" says that this enormous expenditure of public money at the port of Genesee, arises from the "necessity of keeping up a vigilant and efficient corps of revenue officers in the frontier districts."

But the Albany Evening Journal says that George Gould, brother of the collector, was every day seen attending to a shoe-shop; and of Henry O'Reily, it asserts that, in one of the years for which he received such liberal compensation, he was, for the most part, living with his father-in-law fifty miles from the port of Genesee, and during the other year editing a paper at Rochester—and that he was not known to the public as connected with the collectorship until the publication of this report of the secretary of the treasury!

\* Feeders on the people.



## DEBATE ON THE PRESIDENT'S PROTEST.

SPEECH OF MR. FORSYTH.

*In the senate of the United States May 6th, 1834.*

Mr. Forsyth said he concurred with the senator from South Carolina, (Mr. Calhoun), that the paper was an official message from the president of the United States—in some sort personal, too, as every paper must be that was presented by an officer, to defend himself on a charge of disregarding his duty, his personal character being in such charge necessarily involved. Considered as an official communication from a co-ordinate department of the government, it was with unfeigned surprise that Mr. F. saw the pertinacity of members in thus gravely discussing the question, whether the message or protest should be received or not. Senators treat it as an ordinary petition or memorial. Now a petition was never in the hands of the senate, until it was formally received. A member under the rule presents a memorial in his place, states its contents, and, if no objection is made, it is received. If objection is made, the sense of the senate is taken—the memorial remaining, until the senate agrees to receive it, in the hands of the senator who offered it. How is it with an official message from the president to either house of congress, or from one branch of the legislature to the other? The secretary of the executive or of the house presents himself at our bar. "I am directed to lay before the senate a message in writing," &c. It is laid on our table—it is beyond the control of the executive or of the house—without our permission it cannot be withdrawn—it lies on the table of the senate, in our possession before and after it is read. Whatever may be its contents, we cannot refuse to receive it, without acting absurdly. Admit our right to examine the paper, and decide upon its character before it is received, and then, when passion, or reason, or prejudice, prevails, to refuse to receive a message disagreeable to us, what becomes of the rights of the president and the two houses; in their intercourse with the executive and with each other? A bill is sent to the president. He returns it with his veto—examining freely the powers of congress, and placing his refusal to pass the bill on the ground of want of constitutional power in the federal government to legislate on the subject of it—speaks freely or harshly of usurpations of power—and can we or the house of representatives refuse to receive it? What becomes of the bill? It is a law, if not returned to the house where it originates, in ten days. The message and returned bill are put on file or on the journals of either house; no record of the veto, where alone it can or ought to be looked for, is on the journals of the house where the bill originated.

What can the president appeal to? In the dispute, which will inevitably arise, who is to decide, and how? In the intercourse between us and the president, the right of the executive is our right. If we could refuse to receive his messages, he could refuse to receive ours. A bill is sent to him, he will not receive it. When does it become a law? He is allowed ten days to decide upon giving or withholding his sanction. He denies having had the consideration of the bill—he has not received it. What is to become of the government, if such questions are permitted to be raised? In the intercourse between the two houses of congress, confusion and controversy would every day arise; in that between the two or either branch of congress and the executive, disastrous hostility, followed by violent convulsions, would be the unavoidable result. It was too late, out of time, to talk of receiving the message. It was there. As far as the official character of the president, or his personal honor, was concerned, it was indifferent whether the senate refused to receive the message, or what treatment it met. Mr. F. thought it had been addressed by the proper channel to the people. As an act of justice to the body, it was sent through the senate. It was before the people, and they would form and act upon a fair judgment of it. Mr. F. was anxious that a proper disposition should be made of it, from regard to the character of the senate. The more disrespectfully it was treated, the worse for the senate, the better for the executive. In this question, which had been most unnecessarily raised between them, Mr. F. believed the senate were in the wrong, and feared that the true character and just influence of the body would be most dangerously impaired, if the message of the chief magistrate, chosen by the people, and vested with their executive powers, was not treated with due decorum and respect. Recent events have fixed public attention, with intense anxiety, upon the senate. Its character was scrutinized, and on their future conduct depended its fate. Honorable senators tell us that we possess the public confidence, and that the hopes of the nation are resting upon our firmness and integrity. That remains to be seen. In his opinion, if greater caution, moderation and wisdom did not govern the senate, it will come to be considered a blot upon our system; will lose its title to public confidence and regard whenever the shield, put under its care to interpose between other departments and the people, is thrown away, to assume the sword to assault co-ordinate branches of the government.

The senator from S. C. (Mr. Calhoun), tells us that the president has assaulted the senate—that this protest is a declaration of war by the chief magistrate against the senate. War on the senate!!! What was the resolution of the senate? Was it not a declaration of war against the president? An appeal to the people to condemn and punish him? But the president's integrity is not put in issue by the resolution. Ah! What, then, is put in issue? His understanding, if not his integrity. Can a man be accused of usurpation, of tyranny, in office? Can an

appeal be made to the people to rush to the rescue of their dearest rights by one who has seized the purse and the sword, without calling in question the integrity of the accused? Yet after angry debates and unmeasured denunciations by his political opponents, and they have embodied their censure in one resolution, voided cautiously, to convey every thing against him and commit themselves as little as possible, his temperate and respectful answer is, making war upon the senate—is appealing to the people against the judgment of the representatives of the states! He has made no war—he has made no appeal—he has answered a deliberate accusation—he has met the appeal of the senate to the people. Did honorable members suppose the president would shrink from the tribunal to which the senate called him, and refuse to plead? They could not know the president and have indulged such a thought. Could any president, however timid and irresolute, fail to defend himself when thus assailed? That the chief magistrate had the right to answer his accusers, will not be denied. How it should be done is more questionable. A scrutiny might be demanded of the house of representatives, and in ordinary cases this might be the proper course. What would have been said if, going to the house, the president had demanded an inquiry into his conduct, thus assailed as he was by the senate unjustly, and in disregard of the provisions of the constitution? We should have been told that a conspiracy was on foot to destroy the senate by an union of the executive and of the house of representatives—that the president was perfectly safe in demanding an inquiry, because a constitutional majority of the senate could not be, as was ascertained by the vote on the resolution of censure, found to pronounce him guilty. The course pursued of sending the defence to those who made the accusation, was certainly just and fair. There is his defence made necessary by the act of the senate. It is denounced as a command to stain our records by recording a contradiction of the record. Does he command? The language is "I request." But this request is not made says the senator from Kentucky, (Mr. Clay), as a convicted criminal, humbled by a sense of guilt and penitent for his transgression. No indeed, it is not. It is made in the respectful and moderate, but firm tone of an officer conscious of innocence, and forgetting the injury inflicted upon him in his just reliance on the justice of his fellow citizens and of posterity. He requests only that it may be recorded with the accusation, that it may be preserved for the inspection of all those who shall see the charge. Will the senate refuse *this request*? It may be thrown in the fire—treated with any and every species of contumely—the consequence of such treatment will fall upon the senate.

True, or false, it should be preserved. If false, those who have given occasion for it, ought to rejoice. A fair scrutiny into it, will be just and appropriate. Examine its facts, prove them to be assumed, doubtful, or false. Sift its arguments, show them to be loose, illogical, or illusory. Weigh its conclusions, demonstrate them to be unsound. The senate owes to itself, and to the president, and to the people of the states, to place the subject in all its true lights, before the world. The senator from South Carolina (Mr. Calhoun) asks for the constitutional authority of the president to send such a message. Mr. F. would answer this question distinctly. The authority is given in the concluding paragraph of that part of the constitution which authorised the senate to pass the resolution. Where is that to be found? No where. The right of the senate rests upon implication—requires demonstration. Demonstrate the theorem by what process ye may, the president's right to reply and protest is the corollary. The same honorable senator, however, says, the executive can take no power by implication or construction; there are constructive powers, but they are all legislative. The senator had, in a former discussion, acknowledged distinctly the power of removal in the president of the United States. Where was the express grant for that? It was strictly a constructive power—a power implied. Admitting for argument's sake, the accuracy of this distinction, where does the senator find the power of the senate by construction? The whole legislature, it is asserted, has constructive power; but each branch must have it separately. Where is the constructive power of either? Such is the argument. The argument is, all have it; therefore each has it. How very unsatisfactory, Mr. F. said, it was scarcely necessary, after stating it, to assert. Admitting, however, this ingenious fallacy to be sound reasoning, how does the senator exclude the president from the benefit of it? The president is an important portion of the legislative authority. How can it be denied, that the implied constructive power belonging to the whole legislature, if divisible, and to be severally assumed by two branches of the three, among whom it is parcelled out, is not possessed in any degree by the third?

The power of passing censorial resolutions, by either house of congress, was not to be found in the constitution. The framers of the constitution probably supposed such never could be necessary, the powers expressly granted to both, united or separately, being sufficient to prevent or to punish irregularity or criminality in the other departments of government. Nor was it to be denied that the powers granted are amply sufficient, except in cases of most extraordinary character, none of which had, and Mr. F. trusted, never could occur. Either can prevent improvident legislation at its own will; the two houses can correct misconstruction of laws, by repealing or amending statutes—abuse of power by enacting new limitations on its exercises; while the great remedy of impeachment is at hand to

prevent flagrant violations of executive duty. The inquiry alone into the conduct of the executive, in any of its branches, with a view to impeachment by the house of representatives, was a more powerful corrective than any separate resolution of disapprobation either house could pass. While, however, it may be admitted that either could, in its own defence, or in cases of pressing danger, resort to this constructive authority to act by separate resolution, it cannot be, never has been before, denied that the party censured, unbraided with usurping power, or violating the obligation of duty, had a right to be heard in any form he chose to present himself, justice and decorum to others being duly regarded.

From the senator from South Carolina (Mr. Calhoun) one singular idea fell. He had said, that, as joint resolutions were constitutionally subjected to the president's veto, like acts of congress, it followed that the framers of the constitution intended that separate resolutions should be beyond executive interference. The argument would be good, if the constitution said any thing about separate resolutions. As it did not, the fairer inference was that separate resolutions were not thought of by the framers or authors of the government. The authority of each house to regulate its own proceedings, referred to, could not apply, as the object of these censorial resolutions was to regulate the course, or, more properly, to influence the proceedings of others.

The president can, of course, have no business with what is done in the regulation of the proceedings of either house; but when the resolutions are exclusively external in their operation, and operate directly on his official and personal conduct and character, his right to interfere is much more clear than the right of either house thus to operate upon him. It is, in fact, but the mere right of self defence, not denied to any individual or body corporate, however humble, or however exalted. The president had, as was said by the same senator, the audacity to enter the senate hall, and interfere between members and their constituents. Was that a fair statement? The president had not only not interfered, but expressly disclaimed all right or intention to interfere between senators and their constituents and their consciences. He stated, in his own defence, naked facts, according to evidence recorded in the archives of the senate. He has had the audacity to use simple facts, without drawing even an inference, in his defence. And why not use these facts, as well as any other facts, for that purpose? The senate is not very scrupulous in its treatment of the president; and the senators who are so sensitive at this asserted, but denied, interference between them and their constituents, interfere between the president and his constituents, without hesitation or delicacy.

Are we to use the rod without mercy, and treat the executive as a whipped school-boy; charge him with audacity if he does not kiss the rod which has been applied to his shoulders merely for his own good? If the president had appealed to the states, had sent his address to the state legislatures, he would have been justified by the example set him here. He has not. He has left the senators to their constituents, and no doubt the parties would, in due season, come to a right understanding.

The senator from South Carolina has called the attention of his adversaries to the late general application of the term whig to the discordant fragments of all parties opposed to the administration. He seemed to imagine it arose from the peculiar applicability of the term. The general application of the name did not prove any fitness to the thing to which it was applied. It proceeded not from the harmony between the name and the thing, but from concert between those who were desirous of giving a new and popular name to old and unpopular things. There was an organized and associated press, directed, if not by one impulse here, at least directed to one end by different impulses. The press, through all its ramifications, taking up the watch-word "Whig" from its pure source in New York, sounded it through the country, and the secretary of the Hartford convention, and the Osgoods and Parishes of the pupils of the east, and all like spirits of the west, and south, and middle states, joined in the concerted cry. Mr. F. did not believe in the possibility of deluding the people to embrace condemned doctrines and politicians, by the simultaneous application to them of a respectable and venerated name. He was sorry to see the attempt, because the effect would be to degrade a name associated with our glorious recollections of exalted patriotism and disinterested suffering, of great public services, and holy devotion to freedom.

Mr. F. asked if the name of whig would not be degraded if applied indiscriminately to persons who had disregarded, in the days of the country's peril, the obligations of duty and patriotism. Ask the northern section of the opposition if the nullifiers are whigs—twelve months since they were rebels. Ask the southern section if the Hartford conventionists are whigs—a few years since they were a disgrace to the country; were then the open enemies of the constitution. Ask the nationals and the consolidationists—the high tariff and internal improvement men—the states' right men, par excellence, if they are each and all whigs in the English or American acceptance of the word—and the answer may be: Oh, yes! now, but not a short time since, and they will not be some short time hence, if things go as the hope is that things will go. Mr. F. felt how difficult it was to find an appropriate name for the union of such discordant materials; but he thought he could furnish one sufficiently descriptive. Unlike the party to which he would apply it, it was the name of a compound, good in itself, and made of mate-

rials all of which were good in their way. Suppose we call it the punch party. Punch is the union of insipid water—the de-luded men who are the chief material of the party, acid, from the lime of the southern growth, it is produced in the open air in Mississippi—sweetness, the triff sugar from Louisiana—the spirit rum of New England—home made arrack from South Carolina—whiskey from the west, Mougahala or elsewhere—a dash of potent from the shop of Dr. McNeven to catch the Irish—an Irishman loves the smell of turf smoke—the smack of unlawful distillation. Casting an eye to futurity, and supposing that unlike prophetic forebodings of war, pestilence and famine, and of the coffin-hand bills—the prophecy of a day or two since, that the last nail was driven into the coffin of Jacksonism, was realized—what a rousing wake we should have, punch being the order of the night, when the veteran was carefully rolled in his shell to be restored to the great mother of us all. The genius of discord might interrupt the harmony of the scene. If a question should arise about the division of the "spoils of victory." A glorious scratch would follow to determine who should be administrator "*de bonis non*" of Uncle Sam. The insipid would stand no chance. Whoever heard of a good cold water administration. The acid is quite the thing to give a flavor to the compound, but by itself it serves only to set the teeth of edge. The sugar must be satisfied with the preservation of the 2½ cents per lb. duty. The struggle must rest among the spirits of arrack, there is not enough for a broad-bottomed administration. The potent is of foreign birth, and therefore excluded by the constitution. Nothing, then, is left, but the New England rum and western whiskey. How stands the account between them? Rum is made of domestic materials in New England—the region of Fanuel Hall—the cradle of American liberty. Yes, says whiskey—but it is not *always* made of southern molasses—and then there is the Hartford convention—and the cradle would have been the grave of liberty, had not the child grown too great to be smothered in the shell in which its infant limbs were rocked. Whiskey is made of home materials always—it is exclusively agricultural in its origin, but not in its tendency, says rum—and then recollect the whiskey insurrection, when this rebellious liquid had almost stopped "the wheels of the government." The balance of merit, especially as it regarded the American System, being nearly even, the fate of empire would have to be decided by wager of battle, or the neighing of a horse.

#### LETTER FROM MR. McDUFFIE.

This gentleman being at the Fauquier White Sulphur Springs, in the neighborhood of Warrenton, Va. was invited by a committee of the citizens of the latter to partake of a public dinner, which he declined in the following letter:

May 14, 1834.

GENTLEMEN: I have received, with the sensibility which such a manifestation of kindness could not fail to excite, the flattering testimonial of approbation which "many of the whig citizens of Warrenton and its vicinity" have been pleased, through you as their organs, to bestow upon my public course, "and especially my exertions to arrest the career of executive usurpation and abuse of power, and to rescue the public purse from the hands of the executive, which have grasped it in violation, alike, of the national faith, the letter of the law and the spirit of the constitution."

While we cannot but deplore the great national calamity, which the recklessness of vindictive and infatuated power has produced, by the acts of usurpation to which you refer, we cannot but derive a patriotic consolation from reflecting, that these acts of misgovernment and tyranny have disenchanting the people of the United States, and broken the fatal spell of delusion and false security, under which they were rapidly sinking into a death-like slumber, from which no shock less potent than that produced by the rude blows of despotism, could have effectually roused them. But, thanks to that overruling power, whose Providence habitually educes good out of evil, the iron sceptre of usurping tyranny has been almost miraculously converted, even in the hands of the usurper, into a magical wand, which, like the rod of Moses, has caused the living waters of liberty to flow from the barren rock of the wilderness, and the vernal flowers of hope and promise to diffuse their cheering and "lily-like fragrance" over the desolate heath, where but yesterday the wintry influence of despotic power exercised an exclusive dominion. Gentlemen, I sincerely congratulate you on the glorious auspices which cheer and animate the friends of liberty, from every quarter of the heavens. The contest is decided. The battle has been fought and won. We have had a desperate struggle with executive despotism, but the battle has been fought and won. The overwhelming tide of popular indignation which is sweeping away tyranny and its minions in one common ruin, cannot be arrested. Every desperate expedient by which this may be attempted—like the recent protest—will but serve to increase the disaster and complete the overthrow.

It is a source of sincere regret to me, gentlemen, that my extreme ill health, by which I have been reluctantly constrained to abandon my seat in congress for the present, renders it impossible for me to accept the kind invitation of the citizens of Warrenton and its vicinity, to meet them at the festive board; where, under other circumstances, it would afford me very great pleasure to partake of the characteristic hospitality of Virginia, and to indulge in a free interchange of sentiment with those whose principles are congenial with my own.

I beg you, gentlemen, to make known to those whom you represent, my grateful sense of their partial kindness, and to accept for yourselves, personally, my thanks for friendly feelings and good wishes. I am, with great respect and esteem, your obedient servant,  
GEO. McDUFFIE.

Wm. F. Phillips, Edward E. Cooke and C. Robt. Scott, jr. esquires, committee.

#### MR. STEVENSON'S LETTER.

To the editors of the *Richmond Enquirer*.

GENTLEMEN: The recent indications in this congressional district, of most decided disapprobation of the measures of the administration in regard to the public deposits, induced me to address a letter to Mr. Stevenson, apprising him of the great excitement which prevailed here, and desiring to be informed what course he intended to pursue as our representative. Though authorised to use his reply as I might think proper, I deemed it unnecessary to do more than shew it, without reserve, to those who I knew would feel an interest in its contents. But, believing that the views and intentions of Mr. Stevenson may have been misunderstood by many, and that the subject has excited much interest throughout the district, I have yielded to the advice of friends, to allow his letter to be published at this time, and accordingly enclose it to you for that purpose. It is proper to add that his communication is now sent to the press without consultation with him. Your prompt attention to its publication will oblige. Yours very respectfully,  
JOHN RUTHERFOORD.

Richmond, 22d May, 1834.

— Washington, May 9th, 1834.

MY DEAR SIR: I received your kind letter two days ago, and avail myself of the first moment I have had, to answer it. I feel, very sensibly, this continued proof of your friendship, and considerate regard for me, and thank you for the frankness and candor with which you have addressed me. I shall answer you in the same spirit, and express, freely, my opinions and determination upon the delicate and important subjects suggested for my consideration. In this matter I can have no motive to disguise my sentiments, and do not mean to suffer myself to be misunderstood. I may claim, I hope, at least, the virtue of never attempting to conceal my opinions and views upon political subjects. I have been in the habit, through my whole life, of speaking plainly, and openly, and undisguisedly, and meeting every question with boldness and decision. I shall continue to do so as long as I am in public life; and can assure you, that there has never been an occasion or moment, that I seize with more pleasure to state freely what I feel on this subject, and what I intend doing. I have not been unapprised of the state of feeling and excitement in my district; nor of the attempts on the part of some of my political foes to wound me at home, whilst I was doing my duty here. To say that I have not been surprised and mortified, at the acrimony and bitterness with which I have been assailed, and at the unwarrantable attempts that have been made to misrepresent and injure me, would be un candid; and especially, too, coming from those from whom I should least have expected it. I confess that I have felt and deplored deeply this state of things; and the more so, because I have a proud consciousness that I have not deserved it. I allude, of course, to the conduct of individuals and not to the press. The abuse and denunciations of the latter, have no terrors for me; not because, I pretend to greater indifference on this point than other public men, but because we all know that no purity of motive or conduct, can in high party times, shelter any man, be he who he may, from the violent (and, might I not say, indiscriminate), abuse of *partisan* presses. I have, I own, great confidence in the justice and intelligence of the people, and the liberal and generous portion of my political opponents, and I do not permit myself for one moment to doubt, but that, as soon as the phrensied and turbulent spirit of the times shall cease to exert its baleful influence over our distracted country, justice will be done by my motives and conduct. Of this I have not a doubt.

You desire to know, and so do many of my friends what course I mean to pursue in the present state of things in my district; and you tell me, that you are daily interrogated upon the subject by friends and opponents. You express at the same time, entire confidence in the principles which you think will guide me in the course I shall pursue. In this you do me no more than justice, and I beg you to believe that I will not disappoint you. I mean to pursue steadily and fearlessly, the path of duty, and carry out those principles which have governed me through a long course of public service. Of this, you and my friends may rest satisfied. That a decided majority of my district differ with me upon the subject of the *removal and restoration of the public deposits*, it would be folly in me now to doubt, if what I learn be true, and the local elections are to be regarded as any test. Under such circumstances, I should not feel justified as the representative of the district, in refusing to obey their wishes, and instructions, though not formally expressed. My opinions as to the right and consequences of instruction on the part of the constituent, have long been known. It has ever been with me a favorite doctrine, and ought to be justly regarded as one of the corner-stones of all representative governments. Our constitutions are wisely founded upon the representative system; and the very meaning of that term, displays the nature and benefit of the system. A representative is a public agent, who represents the wishes, interests and senti-

ments of the people; and, though they may not choose to regulate his course by special instructions, in consequence of a presumption that he may often enjoy information that they do not possess, the real nature of their relation is not materially changed. "The virtue, spirit and essence of a house of representatives is this being the express image of the feelings of the nation." This is one of the great and distinguishing principles of our own free institutions, and I have always stood pledged in the most unqualified manner to uphold and maintain it. In vain, my dear sir, might a country like ours lavish its blood and treasure in defence of its liberty, and erect barriers against ambition and power, if public agents should be permitted to deny the right of the people to instruct, and the duty of the representative to obey, or surrender up the trust. A representative government, without this right, would be little else than the essence of mockery. Nothing then can shake the deep-rooted opinions which I have so long fostered and acted on, and which in my representative character I could never consent in any manner to impair, without an entire abandonment of private honor and public duty. I shall, therefore, not hesitate to acknowledge this right, and obey the wishes and instructions of a majority of my constituents, upon questions of expediency and practical policy, involving no violation of the oath I have taken to support the constitution of my country, or affect my conscience or honor.

I beg you to communicate these, my opinions, in such manner as you may choose, to those who are really desirous of knowing what they are, or feel an interest in the matter. This is all that I deem it needful or proper for me to say, and you will use it as you please. It is, however, possible that even this may not be satisfactory to some portion of my constituents, and an effort may be made to force me to retire. Be it so. I am ready to lay down the trust, whenever it may be required in a manner that I ought to listen to and respect. I have said so to many of my other friends. Under such circumstances, I could have no motive to continue. Verily, my friend, as you well know, I have paid dearly for all my public honors. They have brought on me heavy pecuniary losses, and been productive of any thing but peace and tranquility. I gave up a lucrative profession, with the prospect of increased wealth, to devote myself to the public service, and now I am to be repaid with denunciation and abuse! All that I ever expected or wished was, to serve, and merit the approbation of; my country; and especially those, whom, for so long a time, it had been my pride and pleasure to represent; and I declare to God, that through the whole course of my public life, I had looked to this, as the highest reward for all my public labors. No man would lament more deeply or sincerely than I should do, the loss of this confidence: but if it must be so, and my services are no longer desired, I shall most willingly retire. It remains for me only to add, that until I do, I shall continue to discharge my duties in the manner I think right and best calculated to advance the peculiar interests and prosperity of my immediate district, and the welfare and honor of our common country.

With cordial and sincere regard, I am, dear sir, your friend and servant,  
A. STEVENSON.  
Col. John Rutherford, Richmond, Va.

#### MR. CLAYTON, OF GEORGIA.

Nothing gives more satisfaction to a candid and ingenious mind, than to make acknowledgment of wrong, when wrong has been committed; and certainly nothing is more honorable. Mr. Clayton, of Georgia, in a recent speech in the house of representatives, thus concluded his remarks. [*See Gaz.*]

Mr. Spenser, this is the first fair opportunity that has presented itself to make satisfaction for wrongs which I believe I myself have committed, not from malice, for I entertain that passion against no human being, but from an over-wrought and incautious zeal. In my opposition to the bank, on a former occasion, I have carefully reviewed my remarks, and find reflections which are unworthy of me and the cause they were designed to support. They were calculated to wound the feelings of many high and honorable men in and out of the bank; and, if such has been the effect, I can offer no higher reparation than the public expression of my regret. I retract every thing personal, either in fact or tendency, and rejoice that when I have done a wrong, my sense of justice inclines me to redress it; neither a dictate of false pride, nor a dread of even deserved reproach, shall ever interpose between the injury of which I have been the unguarded cause, and the due retribution necessary to its full attainment. I do not pretend that this is a sentiment peculiar to myself; it exists in every mind to some extent, and, sooner or later, is apt to exert its just control. Sir, the day may yet come when the present chief magistrate shall feel and own its sway. When he shall have reached the repose of private life, removed from the tempests of political strife—when he shall have ceased to be useful to flatterers and sycophants, and standing upon that critical confine where the time past of a long life is to be reviewed in the short span of that which is soon to end—if no other wrong of which he has been the author shall extort his merited confession, that at least to the injured Duane will bring a repentant sigh. His imagination must wander into the innocent family of this abused individual, from whose quiet bosom he was reluctantly withdrawn, and, after surveying the peace which he has disturbed, the feelings he has tortured, the friendship with which he has sported, the integrity he has distrusted, the independence he has despised, and, above all, that spotless reputation his minions have at-

tempted to defame—if his heart shall not obey the dictates of the generous sentiment I have described, it will be wanting; greatly wanting, in a principle with which even his fame of battle cannot compare, and will justly reduce the glory of his military fortunes to an empty pageant.

#### COL. CROCKETT.

The following is a sketch of the remarks of col. Crockett, a member of the house of representatives of the United States from Tennessee, delivered from the lower balcony of the City Hall, Boston, about two weeks ago. The colonel returned and took his seat last week.

He commenced by saying that he came here without the least expectation of making a speech; he came not as a politician, but at the suggestion of one of his most intelligent political friends, gen. Thomas, of Louisiana, to learn from personal observation, what could not be correctly known otherwise. He had no expectation of attracting any attention other than any private citizen, but for the kind civilities he had received he considered it his duty to tender his most grateful thanks.

He then alluded to his political course. He said that when he first went to congress he was opposed to the protective system; he thought it his duty to oppose it; but since he had visited New England, he had changed his views on that subject; he only wished that some of the leading politicians of the southern states, would visit the New England manufactories, and said that a single visit would do more to bring about peace, harmony and union between the different sections of the country than all the legislation in the world.

He said he had been one of the earliest friends and supporters of gen. Jackson; he had known him from his youth up; he had fought with him, and was one of the first who fired a gun in the battles in which gen. Jackson gained so much renown. He had supported him for the presidency because he believed him an honest man. He did not suppose, what he has since found to be the case, that he would consider that the greatest offence a man could commit, would be to vote against Andrew Jackson.

He would refer back to the condition of the country only seven months ago. Then we had the best currency in the world, our commerce and manufactures were in the highest state of prosperity; now we see ruin and distress pervading all classes of the community. And for what purpose has all this misery been brought about? Merely to gratify the prejudices and will of a supernatant old man. He said we had arrived at a crisis such as we had never before known.

He had never apprehended any serious consequences from the troubles in South Carolina; he did not think the single state of South Carolina could dissolve the union. But now things were an alarming aspect, when we see neighborhood against neighborhood, city against city, and state against state; when the chief magistrate of the union seizes the sword of the nation with one hand, and the purse with the other, and bids defiance to congress and to the whole country, we may with good reason tremble for the result. Look at the president's course. He first attacked the bank, and demolished that, and then levelled his gun and fired at the senate. But he was glad to say that the senate was firm, that it was able to resist his assaults; that it could and it would save the country; and when general Jackson discharged his gun at the senate, he fired into the wrong flock.

He said he was no man's follower; he belonged to no party; he had no interest but the good of the country at heart; he would not stoop to fawn or flatter to gain the favor of any of the political demagogues of the present time. Gen. Jackson's political conduct had disappointed him, and he turned the back of his hand towards him; and when he was reproached for deserting the party, "I told them I had rather be a nigger's man or a racoon dog than belong to such a party."

He said he did not travel to make political speeches, he wished to travel as a private citizen. He trusted they would excuse his defects, for he was but a plain, unlearned man, as he had never had but six months schooling in his life, and it could hardly be expected that he was fitted to address the people of Boston, the most enlightened and accomplished city in the world. He concluded by tendering his most heart-felt thanks for the very kind attentions he had received in Boston, and indeed wherever he had been throughout New England.

#### UNITED STATES CIRCUIT COURT.

JUDGE THOMPSON, PRESIDING.

*John F. Sarchet against Samuel Swartwout, collector.*

[Reported for the Journal of Commerce.]

This was an action to recover \$24 24 cents, being the amount of duty charged by defendant on certain articles imported by plaintiff under the denomination of anchor iron and links. The articles consisted of detached links partly manufactured, some of them turned and others straight, fit for making chain cables or chains for other purposes; the shank, arm and palm of an anchor in separate parts, ready to be welded together; cast iron balls, with a hole through them, for putting on the ends of anchors, and stays or studs.

It was contended on the part of the plaintiff that if these articles were subject to any duty it was not more than 25 per cent. ad valorem, whereas the plaintiff has been charged 2 cents per lb. for the detached pieces of the anchor, and 3 cents per lb. for the cable or chain links.

The plaintiff's counsel made the following points:

J. That by the acts of congress previous to 1832 the links and anchor iron, though well known articles of commerce were not

enumerated by those distinctive appellations, but were non enumerated articles paying a duty, under the act of 1816, of 15 per cent. ad valorem; that they were not manufactures of iron.

II. That thus under the old laws paying a duty of 15 per cent. ad valorem, unless enumerated in the law of 1832, or embraced by some general clause, they were free. The law of 1832, sec. 3, says—"All articles not enumerated in this act, nor the existing laws, and which are now liable to an ad valorem duty of 15 per centum, shall be exempted from duty."

III. That they were not enumerated in the law of 1832.

IV. That the links were not iron cables, or chains, or parts thereof, manufactured in whole or in part, under section 1, article 9, which says—"Iron cables, or chains, or parts thereof, manufactured in whole or in part, three cents per pound."

V. That the links were not a manufacture of iron, but links, so known by name in commerce, partly manufactured.

VI. That a link partly manufactured was not a manufacture of iron partly finished, under section 1, article 12, which says—"All manufactures of iron, partly finished, shall pay the same rate of duty as if entirely finished."

VII. That links wholly finished would not be a manufacture of iron, for they were not an article fit for any useful purpose, under the decision in 5 Cranch, United States reports, 28.

VIII. At any rate, links, if finished, could be a manufacture of iron, paying a duty of 25 per cent. under section 1, article 12, which says—"All manufactures of iron not enumerated to pay a duty of 25 per cent. ad valorem," as no one could say to what purpose these links would be applied; whether to making boat stays, topsail sheets, crane chains, rail road chains, &c. &c. and "all chains but cables pay twenty-five per cent. ad valorem."

That the anchor iron in the same way was free. That a manufacture of iron, was an article having that labor bestowed upon it necessary to fit it for some useful purpose, for its intended use. That a manufacture finished in part, was the whole article, a part of which was finished, as a shovel, pan, &c. That a chain was a series of connected links—a part of a chain cable was the section between the shackles—a piece of a chain or a part, if synonymous, was a series of links connected, equally finished, as the whole, less only the extent.

The court charged the jury in favor of the defendant except as regarded the balls which it saw could not be considered more than castings. As to the stays or studs, if the jury considered that they were exclusively used for making chain cables, then they were to consider them part of a chain cable; relative to them and the links, the court however think it doubtful as to whether they were liable to the duty charged.

The district attorney gave up the case as regarded the balls and links, and the jury returned a verdict for the defendant on the other articles.

#### SAME AGAINST SAME.

This was an action to recover \$400, being the amount of duty charged on 80 tons of coal dust, which the plaintiff had imported from England, and in which the defendant made him pay a duty of 6 cents per bushel heaped.

From the evidence adduced on the part of the plaintiff it appeared that the article in question is composed of coal dust and clay, and called coal screenings at Newcastle, from whence plaintiff imported it; that it costs nothing at the mines except the expense of removal, and that it was invoiced to plaintiff at 6 shillings per chaldron. It also paid an export duty in England, of 2 shillings per chaldron.

Other evidence was adduced to show that the article is much used by blacksmiths in the country, and that it pays the full coal duty.

The court charged the jury that if the article was coal, though of a very inferior quality, still it came under the denomination of coal and was subject to coal duty, but if the article was known to the mercantile community only under the name of screenings, and not that of coal, it did not come under the tariff. If, however, dealers in the article understood it to be coal fit for blacksmiths, though not fit for burning in fire grates, it came within the provisions of the tariff. Verdict for defendant.

Counsel for plaintiff, Messrs. Charles Walker and J. P. Hall. For defendant, Mr. Price.

#### LAW AGAINST GAMING.

Commonwealth of Massachusetts.

AN ACT TO PREVENT GAMING.

Be it enacted by the senate and house of representatives in general court assembled, and by the authority of the same, That upon complaint on oath by any person before any justice of the peace, or any police court, that he suspects, or hath cause to suspect, that any house or other building, is used as, and for a common gaming house, for the purpose of gaming for money, or other property, and that the same is unlawfully used for that purpose, and that any idle and dissolute person or persons resort to the same, with that design, whether the names of such person or persons are known to such complainant or not, it shall be the duty of such justice of the peace or police court, to issue a warrant in due form of law, commanding the sheriff, or his deputy, or the constable of the city of Boston, or of any town within this commonwealth, to enter into such building, and there to arrest all and every person who shall be there found playing for money or otherwise, and the keeper or keepers of the same, and also to take into their custody all the materials and instruments for gaming as aforesaid; and the person or persons so arrested, or all the materials or instruments aforesaid

said, to keep, so that the same may be forthcoming before such justice of the peace or police court, to be dealt with and disposed of according to law.

Approved by the governor, March 31, 1834.

THE COIN BILL.

HOUSE OF REPRESENTATIVES—MAY 27.

The following engrossed bill was this day taken up for consideration, viz:

A bill regulating the value of certain foreign silver coins within the United States.

*Be it enacted, &c.* That, from and after the passage of this act and for three years thereafter, and no longer, the following silver coins shall pass current as money within the United States, and be a legal tender, by weight, for the payment of all debts and demands, at the rates following, that is to say: the dollars of Mexico, Peru, Chili and Central America, and those re-stamped in Brazil, of the value of nine hundred and sixty reas, when of not less fineness than ten ounces, fifteen pennyweights and twelve grains of pure silver in the troy pound of twelve ounces of standard silver, at one hundred and sixteen cents and one-tenth of a cent per ounce; and the five frank pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy of standard silver, at one hundred and sixteen cents and four tenths of a cent per ounce: Provided, and it is hereby declared, that such tender by weight shall not extend to the payment of any debt or demand for a less sum than one hundred dollars.

*Sec. 2. And be it further enacted,* That it shall be the duty of the secretary of the treasury to cause assays of the aforesaid silver coins, made current by this act, to be had at the mint of the United States at least once in every year, and to make report of the result thereof to congress.

Mr. Gorham moved to recommit the bill to a committee of the whole, with instructions to strike out the first section, and in lieu thereof insert the following:

*Be it enacted, &c.* That from and after the passage of this act the following silver coins shall be of the legal value, and shall pass current as money within the United States, *by tale,* for the payment of all debts and demands at the rate of one hundred cents the dollar; that is to say, the dollars of Mexico, Peru, Chili and Central America, of not less weight than as now coined, and those re-stamped in Brazil of the like weight, when of not less fineness than ten ounces, fifteen pennyweights and twelve grains of pure silver, in the troy pound of twelve ounces of standard silver; and the five frank pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy weight of standard silver, at the rate of ninety-three cents each.

After debate, the motion was agreed to, by 86 votes to 82: and the amendment having been made as proposed by Mr. Gorham, the bill, thus amended, was read a third time, passed, and sent to the senate for concurrence.

THE NOMINATION OF WASHINGTON.

To the editors of the *Intelligencer*.

GENTLEMEN—The honor of the nomination of general Washington as commander-in-chief of the armies of the U. States in the congress of 1775, has heretofore been awarded to Mr. John Adams, of Massachusetts, and a statement to that effect, taken the rounds in the newspapers, including the *Intelligencer*, (no doubt extracted from some other print), at different periods. The fact of the nomination having been made by Thomas Johnson, of Maryland, and seconded by Mr. John Adams, I long since learned from Mr. Johnson himself, and with a view of correcting the error, and doing justice to the memory of the deceased, you will oblige me by publishing my letter to Judge Cranch, and his reply, which is a further corroboration of the fact stated. Respectfully yours, &c. GEORGE JOHNSON.

Messrs. Gales & Seaton.

*Note*—General Washington, when elected chief magistrate of the United States, amongst the first appointments made by him, was that of Thomas Johnson to the office of secretary of state, (having seen the letter of appointment in general Washington's hand writing), which proffer was declined by Mr. Johnson, in consequence, at the time, of the death of his wife, who left him with a family of young children. G. J.

Copy of a letter from George Johnson to the hon. Judge Cranch, dated 14th March, 1833.

DEAR SIR: I have seen it published in the newspapers, at different times, that, in the year 1775, Mr. John Adams, of Massachusetts, nominated to the then congress gen. Washington, of Virginia, as commander-in-chief of the American forces.

The fact is, the nomination was made by Thomas Johnson, of Maryland, seconded by Mr. Adams, which was carried as I have learned from Mr. Johnson himself.

With a view of establishing the fact, and correcting the error, I referred to the old journals of congress in the state department, but they being imperfectly kept, not stating the name or mover of a resolution, &c. no satisfaction could be obtained therefrom.

I since have learned that you delivered an oration in the capitol, on the death of ex-president John Adams; and in reference to the events of time past, you did justice, in this particular, to Mr. Johnson. Will you do me the favor by informing me as to the source from whence you derived your information, as to the fact then stated by you.

Washington, August 6, 1833.

To Mr. George Johnson:

DEAR SIR: I received your letter of March last while the court was sitting and in consequence of my absence from home since the adjournment of the court, I have not until now, had time to look over my notes of the memoir of the life of Mr. Adams, to find my authority for the statement that the nomination of general Washington as commander-in-chief of the armies of the United Colonies, in 1775, was made by the late gov. Thomas Johnson, of Maryland. I have looked over my notes, but find no reference to any authority for the fact. I believe, however, that I took it from some publication under my authority of Mr. Adams himself, in a pamphlet or newspaper printed in Boston. I was well satisfied of the truth of the statement when I made it. With great respect, I am, dear sir, your obedient servant,  
WILLIAM CRANCH.

PRODUCE OF ENGLAND.

The following table is taken from Pebrer's and Moreau's Tables, and all compiled from parliamentary documents.

Annual produce of agriculture in all its branches	£246,600,000
of mines and minerals	21,400,000
of fisheries	3,400,000
of manufactures	148,000,000
<b>Total annual produce of producers</b>	<b>£419,400,000</b>
Annual profits of inland trade	48,425,000
of coasting trade	3,550,000
of shipping and foreign commerce	34,398,000
of bankers	4,500,000
of foreign income	4,500,000
<b>Total annual produce of consumers</b>	<b>£95,373,000</b>

PRODUCERS.

Number of agricultural persons, and their families	6,300,000
Miners	600,000
Manufacturers	2,400,000
Artificers, builders, &c.	650,000
<b>Total</b>	<b>9,950,000</b>

CONSUMERS.

Shopkeepers	2,100,000
Tailors, shoemakers	1,080,000
Soldiers and Sailors	830,000
Clergy, doctors, &c.	450,000
Paupers	1,110,000
Annuitants	1,116,000
<b>Total</b>	<b>5,686,000</b>

CANADIAN STATISTICS.

Collected from the *Montreal Weekly Abstract* of Dec. 11, 1833. Comparative statement of arrivals, tonnage and emigrants, at the port of Quebec, since 1815; taken from the exchange books:

Years.	Fessels.	Tonnage.	Emigrants.
1819	631	155,518	12,907
1820	576	148,195	11,239
1821	418	100,646	8,050
1822	586	146,188	10,468
1823	542	131,862	10,258
1824	603	148,581	6,515
1825	762	191,614	9,097
1826	694	178,792	10,731
1827	600	152,764	16,862
1828	701	183,255	11,697
1829	861	234,301	13,357
1830	855	225,138	24,391
1831	1,009	259,878	49,250
1832	961	248,038	51,422
1833	1,007	271,147	22,062

Some of the chief exports from Canada, by sea, to the close of the navigation.

	1832.	1833.
Staves	4,393,000	4,585,000
Wheat	479,000	659,000
Flour	44,886	92,393
Beef	5,157	5,227
Pork	8,040	12,382

Montreal ashes store statement, 1st December.

Inspected	1831	1832	1833	Pots.	Pearls.	Total.
	29,379	27,360	22,594	19,924	14,606	49,303
						41,866
						35,168

Inland imports to Montreal.		
Pork	From Upper Canada	4,437
	Lower province	2,808
	United States	13,059
<b>Total barrels</b>		<b>20,304</b>
		<b>29,118</b>

Flour.....	From Upper Canada.....	57,260	95,193
	“ Lower province.....	26	4
	“ United States.....	25,930	44,701
	Total barrels.....	83,216	139,898
Wheat.....	From Upper Canada.....	256,092	202,918
	“ Lower province.....	803	38,143
	“ United States.....	2,428	6,800
	Total bushels.....	259,320	337,861
Tobacco, hhds.	Upper Canada.....	209	335
	“ United States.....	55	87
	Total.....	264	422
“ kegs	Upper Canada.....	240	58
	“ United States.....	1,704	1,123
		1,944	1,181

**THE BONAPARTE FAMILY AND FRANCE.**

Joseph Napoleon Bonaparte has published the following letter to the subscribers of the petitions addressed to the chamber of deputies calling for the repeal of the law of banishment enacted in 1815 against the family of Napoleon:

“Gentlemen—Your voice has been raised in favor of the family of Napoleon. We love to believe that it has expressed a popular wish. Still it has not been favorably received by the majority of the chamber in the sitting of the 23d February. Notwithstanding, we are not less bound to offer you the tribute of our hearty gratitude, as well as to the members of the minority, the real organs of the national sympathies.

“On that occasion the president of the ministerial council, the duke of Dalmeida, marshal Soolt, major general of the emperor at Waterloo, and my old chief of the staff in Andalusia, &c. stood forth as our accuser, and, not satisfied with proscribing us, is daring enough to assert that the brothers of Napoleon “had not refrained in foreign countries from the intrigues of factions.” I alone, of all the brothers of Napoleon, resided in a free country at the period of the revolution of 1830. I was alone in a condition to recall to France the son of Napoleon, with whose sentiments, altogether French, I was acquainted. I wrote to the chamber of deputies on the 8th of September, 1830, from New York.

“The new king was proclaimed when my letter reached Paris: it was now read in the chamber. I arrived in England after the reform bill, and on the same day saw in the public journals the announcement of the premature death of my brother’s orphan. At the same time I learned that France was still closed to us. I remained therein under the social securities, (which in this place are not deceitful allusion), in expectation of the moment when the voice of the French people, restored to itself, would destroy that monument of national bondage demanded by strangers, through a hatred of the French revolution, and of that which had been the most representative of that revolution.

“The France of July has erected his statue; his family are still proscribed, their only crime being the name which Napoleon has bequeathed to them. I cannot help indulging a hope that this unjust law will be repealed. With my best wishes have I pressed it, not so much on account of my own private interests, but rather in behalf of fifty members of our family, and still more than all, for the sacred interest of the outraged national dignity.

“Such are the intrigues of which I take a pleasure in rendering a full account to my fellow citizens. I appeal to the impartiality of their judgment, and they will persevere in manifesting it in a legal manner, by availing themselves of the sacred and inalienable right of petition. If the Paris police can discover any other intrigues, I urge them to disclose them to the president of the council—I defy him to produce a single proof in support of the calumnious assertions. I do not wish to discriminate further.

“With respect to the proposition for giving us permission to reside in France, according to the good pleasure of the ministers, we trust that no one will believe that a single member of our family would ever wish to return to it stripped of the universal law. It would be a strange spectacle, truly, were the family of Napoleon to constitute amongst the great people, a class of ministerial hostages. It could not have been certainly, to degrade us, that you demanded our return; and the member of the chamber of deputies who repudiates the law that deprives us of our right as citizens have been the interpreters of our sentiments and of yours. It is the country with all the rights and responsibilities of a citizen that we seek for, which you seek for us, and we hope to obtain from the nation’s will.

“In order to decry us before the eyes of the new generation, and to justify both the banishment and confiscations with which we have been visited, they have made us pretenders. We belong to the age in which we live—we are the creatures of France, in 1804—Frenchmen, subordinate to the will of France, in 1834—we are aware that the generation of to-day is not bound by the will of its ancestors, that nations may perpetuate, alter, modify, restore, and destroy whatever has been established in former times, and under different state of circumstances—we have ever known that families, as well as individuals, were bound to free nations by obligations and not by rights. I had

Napoleon been alive at this day, he would have concurred with us—he would have recognised the sovereignty of the French people, who alone have the right to give that government which seems most to their interest, or according to their pleasure, nay, even according to its caprice. The dictatorship, too long maintained by Napoleon, has made him an object of contempt with some persons. This dictatorship was prolonged by the perverseness of the foes of the revolution, who affected to obtrude in his person the principle of national sovereignty, of which he was but the emanation.

But at the general peace, universal suffrage, the liberty of the press, and all guarantees of enduring prosperity of a great nation, which he contemplated, must have wholly unveiled him to France, and must have enabled all his contemporaries to form the same judgment of him as posterity will entertain. His whole thoughts were known to me, and my duty is to proclaim them loudly. He sacrificed himself on two occasions to avoid a civil war in France. Those who inherit his name would renounce forever the felicity of breathing the air of that country, could they believe that their presence would be a source of the slightest disturbance to her peace. Never will they relinquish their appeal to the nation.

“Such are the principles, the opinions, and feelings of the whole of the members of the family of Napoleon, of whom I am the organ—all for the people, and by the people.

“With such sentiments, gentlemen and fellow citizens shall we vindicate, I trust, the patriotic anxiety which you have testified towards us.

“JOSEPH NAPOLEON BONAPARTE.”

**BANK OF MARYLAND.**

*Addressed to the creditors.*

In making this report to the creditors of the bank of Maryland, the undersigned trustees beg leave to state, that although the bank failed upon the 24th March, they did not enter upon their duties until the 5th April. In this interval there were very large payments to the bank.

The trustees found in the outset many questions requiring extensive investigation, and immediate decision; many of these could only be adjusted by correspondence with persons at a distance. The daily pressing demands upon the time and attention of the trustees from debtors and creditors, postponed any immediate general investigation of the trust affairs.

The arrangement of the proper accounts of the trust, was a matter the trustees could not postpone; to delay that, was certain to create confusion. Their liabilities to creditors, and the possibility of being called into the courts, made their own accounts a matter of the first interest to them. Before time indispensable for these various arrangements had elapsed, Mr. Evan Poultney’s health prevented any communication with him; since his recovery we have as before been constantly employed, and we are now enabled to exhibit only a partial view of the matters under our care.

The various amounts reported in the statement as due to, and from the bank, are ascertained by the cashier and clerks, in whom we have entire confidence; we feel quite sure from all we have seen, that their accuracy may be relied on, and believe that the extent of the bank’s debt is fully stated.

The opinions formed by the trustees of the goodness of the debts due the bank, must be understood as having reference to the original resolutions of the president and directors of the bank, and the legal opinion of the advisers of the trust.—That the trustees are bound to receive notes of and deposits in the bank in payment of debts due. Without this right many debts must have been lost; with this right, which is important in keeping up the value of the bank notes and certificates, many debts will, we think, still be paid.

We have not yet received from Mr. Poultney, any statement of his own affairs, in answer to our application for information from him.

JOHN B. MORRIS, } trustees.  
R. W. GILL, }

28th May, 1834.

Thomas Elliott, esq. for reasons assigned on his part, declined uniting in this report.

Liabilities of the bank of Maryland, ascertained to the 19th May 1834.

Bank and post notes in circulation upon the 24th March, after the exchanges of that day	\$574,780 75
Received in payment and upon deposit since 24th March,	259,460 00
	\$315,320 75
Certificates of special deposits out, upon the 24th March	851,760 73
Certificates of deposit received upon deposit and in payment by the trustees	344,927 47
	505,833 26
Balances due individuals on open account.....	270,506 72
Balances due banks in the city.....	181,751 11
Balances due banks out of Baltimore.....	331,292 37
Due for dividends.....	2,604 00
Due Union bank, Tennessee, for balance of bonds not credited their current account.....	75,000 00
	\$1,063,218 21

*Estimate of the resources of the bank of Maryland to pay debts, made to the 19th May 1834, inclusive.*

Balances due upon open accounts as reported by the book keepers.....	\$130,949 91	
Estimated good.....	\$64,431 33	
Disputed.....	36,750 88	
Doubtful.....	29,767 70	
	\$130,949 91	6,562 50
Balances reported due from distant banks.....		6,562 50
Good.....	849 67	
Doubtful.....	1,447 24	
Attached.....	1,982 93	
Partially involved in unsettled counter claims.....	2,282 66	
	\$6,562 50	
Balance from Mechanics' bank of Alexandria, (insolvent).....		14,787 93
Balances due from agents whose accounts have not been assigned, (good).....	106,518 45	
Promissory notes due and unpaid.....	150,581 74	
Good.....	\$64,578 62	
Disputed.....	4,000 00	
Doubtful.....	88,005 12	
	\$156,581 74	412,553 46
Promissory notes not yet due.....		412,553 46
Good.....	340,300 06	
Doubtful.....	72,263 40	
	\$412,563 46	
Funds in the hands of the trustees, deposited under the resolution of the creditors at 5 per cent. Deposited in Commercial and Farmers' bank, Farmers and Merchants' bank, Franklin bank, Union bank of Maryland and Marine bank.....	\$46,089 97	
Bills drawn for other balances believed to be due, and transmitted by us for collection, (good).....	6,319 80	
Bills discounted by the bank of Maryland, and transmitted by the bank for collection, (good).....	7,705 83	
<i>Property represented as pledged.</i>		
Bank stocks of various kinds.....	118,997 50	
Promissory notes, &c.....	142,901 11	
	261,898 61	
This property is claimed as collateral security for discounts upon bills and notes, &c. and balance upon open account \$250,000 00.		
These items are considered available so far as to reduce the liability of the bank of Maryland.		
<i>Unpledged stocks.</i>		
1,061 shares general insurance stock, value unknown, estimated at par.....	50,050 00	
993 shares Cumlerland road stock.....	4,000 00	
185 do. Boonsboro' road do.....	1,100 00	
4 do. Baltimore and Frederick turnpike stock.....	20 00	
11 do. Phoenix Shot Tower comp'y do.....	600 00	
5 do. Steam Towing do.....	0 00	
15 do. Maryland Savings Institution do.....	0 00	
36 do. Farmers & Merchants bank do.....	1,800 00	
	57,770 00	
Reversionary interest depending upon the life of a Mr. Yates in France, assigned to the bank many years since.....	6,313 00	
Time of payment uncertain, (well secured, and now worth \$8,333 1/4).....		
Banking house and lot upon South street, (good).....	\$10,000 00	
Evan Poultney's notes.....	400,000 00	
Suspended items, consisting of checks and bank notes.....	18,528 36	
Good.....	\$11,112 53	
Doubtful.....	7,415 83	
	\$18,528 36	2,700 00
Land in Washington county, 300 acres, (good).....		2,700 00
Bank notes on hand.....		4,941 00
Good.....	\$ 810 00	
Insolvent.....	4,131 00	
	\$4,941 00	
A disputed claim.....	25,000 00	
A claim for interest on money loaned, (good).....	10,000 00	
	\$1,685,230 58	
<b>RECAPITULATION.</b>		
Cash.....	\$689,407 29	
Cash deposited.....	46,089 97	
Attached.....	4,265 59	
Contingent.....	261,898 61	
	\$1,001,661 46	} Available in discharge of debts due by the bank.
Doubtful.....	617,818 24	
Disputed.....	65,750 88	
	\$1,685,230 58	

The bank of Maryland is also the owner of 4,000 shares Union bank of Maryland stock, standing in the name of the Union bank in trust, to secure the payment of \$300,000 discounted in October last, and paid to the bank of Maryland in the course of dealings between those institutions.

The bank of Maryland is also holder of 800 shares of her own stock, as collateral for Mr. Poultney's debt, the value of this stock will depend upon the amount of her ultimate liabilities to creditors,—the purchasers of it will of course have the control of the charter of the bank.

Mr. Poultney's private estate is first pledged for the payment of \$30,000, due to the Union bank of Maryland which will so far reduce the aggregate debt of the bank of Maryland, that sum being included in the amount of certificates and balances due from this bank. It is next pledged, to be divided equally between his creditors among whom this bank is represented to be much the largest, and lastly to secure any debt of the bank of Maryland, originating prior to the 23d March, 1834.

There are other claims which the trustees suppose to exist—these are in a course of investigation, but the trustees cannot now form any opinion of their extent and value.

The amount of bills and notes belonging to the bank collected by the trustees in bank of Maryland funds, to the 19th May inclusive is \$669,300 43, and the amount since, \$72,780 92.

**MISCELLANEOUS ITEMS.**

A plan is projecting at New York to make the country notes of the banks of the state, at par in that city. It cannot be effected, we think, without much reducing the circulation of the banks in the interior, but a great public benefit would be derived from its accomplishment, unless the appreciation of the value of the currency, that must follow it, should over-balance the good that is promised.

Dr. Mott, of New York, has succeeded in extracting a stone that weighed 17 oz. 3 dwts. avoirdupois, from the bladder of a man aged 26. It was taken out entire, all attempts to break it or drill it into pieces having failed. This is called a "wonderful operation," sir Ashley Cooper having given an opinion that a stone of 8 or 9 ounces is the largest that could pass through the bony stricture in the gripe of the forceps. The patient was doing well.

It is said that these poor fanatics, the *Mormonites*, have armed themselves to reconquer their "Holy Land," in Missouri. They count 500 men, and seem mad enough for the "trial of battle."

A beautiful ship for the India trade, has recently been launched in London. She belongs to Baring & Brothers, and is to go to sea with no spirituous or intoxicating liquors on board. The London papers call that "the American System."

As the mail stage was proceeding south, it was robbed near Norwalk, Con. of the bag from Boston for New York. It contained large remittances, but as they are almost exclusively in checks and bills of exchange, it is thought that the robbers hardly obtained 100 dollars in passable money. They left the checks and bills on the spot where they had opened the portmanteau.

There are nine steamboats now plying on the Red River, Arkansas. One of them lately passed up laden with Cherokee emigrants, many of whom were sick with the measles, and about 30 had died of the *cholera*. Some cases of this fearful disease had happened at Little Rock.

Several of the lines of the canals in Pennsylvania being completed, are in very active employment. The intercourse between the east and the west, great as it is, must every year be increased, and especially as facilities to carry it on are multiplied. The "hard times" will rather add to, than diminish, searches for markets.

At the late term of Macon superior court (N. C.), an Indian of the Cherokee tribe, living within the chartered limits of the state, was brought before Judge *Strange* for trial, on the charge of horse stealing, under the supposition that the act of the last general assembly extended the jurisdiction of the courts over the Indian territory; but the court was of opinion that the intention of that act was only to authorise process to be served in that country on such as were, before its passage, amenable to the jurisdiction of our courts, and who might be within these limits. The prisoner was discharged.

The Connecticut school fund amounts to \$1,929,738 60—chiefly in bonds, mortgages, bank stocks and lands.

The Alabama river lately rose the unprecedented height of 25 feet at Lempolis, and had caused great damage to the crops, &c.

The late severe frosts have done much injury to the farmers and planters of the west and north west. In some parts, even forest trees have been killed. "Winter lingered in the lap of May."

The locust is just now very plentiful. They are harmless.

A person at Albany, on his way from Buffalo to New York, was lately robbed of a trunk containing 100,000 dollars in bank notes—but the whole was recovered and the supposed culprit committed.

The Charleston rail road is doing a large and profitable business.

The village of Millersburg, O. containing about 30 houses, has suffered the loss of 18 dwellings, with the jail and other public edifices, by fire.

It is in contemplation to construct an iron rail road from Rome to Naples.

On the 27th March, Rome was so full of foreigners, that not a lodging could be procured.

According to a document drawn up with immense labor, by the French government, it appears, that in Russia, one child is educated out of every 367 inhabitants—in Portugal, 1 in 88—in Poland 1 in 78—in France, 1 in 20—in Austria, 1 in 13—in England, 1 in 11—in Bavaria, 1 in 10—in Prussia, 1 in 6—and in the United States, 1 in 4.

There is at present in Mexico, an Indian represented to be eight feet three inches in height, but only 18 years of age, and of most hideous appearance.

The following is said to be the force of the French navy. Ships of the line, 33; frigates 37; sloops 17; ditto for carrying despatches; 8; brigs for despatches, &c. 18; bomb vessels 8; brigs fitted as gun boats 6; galleons, cutters and luggers, 17; batimens de flotilla, 36—214. Store ships 20; garbaros 23.—total 260.

It is said that Mr. John Quincy Adams is engaged in writing "Memoirs of his own times," and the "Life of John Adams," his father. They cannot fail to be works of high interest.

The eccentric lady Hester Stanhope, so long a resident in the east, on being visited by a recent traveller, and advised to return to her native country, having lost much of her influence over the Turkish pachas of Syria, from the diminution of her means to bribe them, thus expressed her determination, and described her dangers: "As to leaving this country your advice is in vain; I never will return to England. I am encompassed by perils; I am no stranger to them; I have suffered shipwreck off the coast of Cyprus; have had the plague here; I have fallen from my horse, near Acre, and been trampled on by him; I have encountered the robbers of the desert, and when my servants quaked, I have galloped in amongst them, and forced them to be courteous; and when a horde of plunderers were breaking in at my gate, I sallied out amongst them, sword in hand, and after convincing them that, had they been inclined, they could not hurt me, I fed them at my gate, and they behaved like thankful beggars. Here am I destined to remain; that which is written in the great book of life who may alter? It is true, I am surrounded by perils; it is true, I am at war with the prince of the mountains and the pacha of Acre; it is very true my enemies are capable of assassination; but if I do perish, my fall shall be a bloody one. I have plenty of arms—good Damascus blades, I use no guns; and while I have an arm to wield a banner, these barren rocks shall have a banquet of slaughter, before my face looks black in the presence of my enemies."

There are now living in the town of Belfast, (Me.) nine widows named Patterson. The united ages of the five oldest, amount to 417 years—the oldest of these nine is 85, and the youngest 46.

A copper mine, the ore of which yields from 60 to 70 per cent. has been opened near Flemington, N. J. In addition to the mine, which is said to be inexhaustible, a vein of four or five feet in thickness, and as many in breadth, has been discovered in its immediate vicinity.

Certain rail roads are projected by which the journey from New York to New Orleans may be made in less time than the period of six days! What a "world" shall we have in these United States, if they remain united and prosperous—as they were some months ago!

The Journal of Commerce says—The man is still alive and in vigorous health, who commanded a schooner of one hundred and twenty tons in the trade between New York and Liverpool, when that schooner was the only American vessel in that trade. In the year 1819, the ship *Stephania* was built for the trade to Havre, measuring three hundred and fifteen tons. This was thought to be an extraordinary size, but now we see the ships launched for the Havre trade are seven hundred tons.

It is stated in the Lynehburg Virginian, that one of the Cherokee delegation of Indians, on his way to Washington on a mission from the tribe, was arrested in Crawford county, Arkansas territory, for debt, and required to give bail. He was discharged by two justices of the peace, upon the ground, that as the ambassador of a foreign power, he could not be held to bail. This is a new variety of the Indian question, and a curious one.

Tobacco holds a good price—for the last crop, especially of Maryland, was short, and the stock on hand, in Europe, small: 25,000 lbs. of this tobacco are generally worth more money than 30,000.

The British are about to make a regular establishment on the Falkland Islands, and lieut. Smith, of the navy, is appointed governor.

The following extract from a table in Brown's *Sylva Americana*, (say a New England paper), will be found valuable to

housekeepers, in aiding them to form an estimate of the comparative value of the different kinds of fire wood.

The table at large shows the weight of a cord of different woods, seasoned; the quantity of charcoal each will make, and other valuable information, founded on experiments. It assumes as a standard the shellbark hickory, of which none is offered in our market. The most valuable which is common in this region is the white oak, and assuming this to be worth six dollars per cord, we find the price affixed to the table to be the value of each.

	Lbs. in a cord.	Comp.	Value.
1 Shellbark hickory,	4,469	100	\$7 40
2 Pignut hickory, or common walnut,	4,241	95	7 03
3 White oak,	3,821	81	6 00
4 White ash,	3,450	77	5 70
5 Swamp whortleberry,	3,361	73	5 40
6 Scrub oak,	3,329	73	5 40
7 Appletree,	3,115	70	5 18
8 Red oak,	3,254	69	5 11
9 Black oak,	3,236	66	4 89
10 White beech,	3,102	65	4 81
11 Black birch,	3,115	63	4 67
12 Yellow oak,	2,919	60	4 44
13 White elm,	2,592	58	4 29
14 Maple,	2,668	54	4 00
15 Buttonwood,	2,391	52	3 85
16 Spanish oak,	2,449	52	3 85
17 White birch,	2,369	48	3 56
18 Pitch pine,	1,994	43	3 18
19 White pine,	1,868	42	3 11
20 Lombardy poplar,	1,774	40	2 96

So much for the purchaser—and now a word to the seller.

It is estimated that a cord of wood contains when green 1,542 lbs. of water; so that a farmer who brings into market a cord of green wood, has no less load for his team, than another who should put on the top of his cord of dry white oak, three quarters of a cord of seasoned pine, or one hog-head and two barrels of water; either of which would seem like overburdening his poor beasts.

A strong disposition is manifested by the English people, and we hope that they will carry it out, to drive the bishops from the house of lords, and divest them of all secular power. It is high time that such a correction between the state and "the church" was sent in twain.

A New York paper says—Bishop Dubois yesterday paid over to the Polish committee nine hundred dollars raised for the benefit of the Polish exiles in the different Catholic churches in this city—a praiseworthy example of liberality. Three hundred dollars have been collected and paid over for the same purpose in the city of Brooklyn, where a plan has been set on foot of soliciting contributions in the several wards.

There are, according to the Harrisburgh papers, more than five hundred canal boats registered and in constant use upon the Pennsylvania canals. Fifteen locomotive engines have been engaged for the Pennsylvania rail road, and five for the Portage rail road, the greater portion of which will be in operation in the course of the season. These are encouraging tokens of the increasing value of these improvements.

A correspondent of the Boston Centinel states that the supreme court, at its last session in that city, decided that a grandchild born eight months and a half after his grandfather's death, is included in a bequest to grand-children "living at his decease."

It is said that the elder Barina has retired from business with savings to the amount of \$40,000,000. A snug sum!

From the 1st of September to the 8th November, 1833, there died in the city of Seville, Spain, 6,615, or for the 69 days, an average of about 93: viz: 67 ecclesiastics, 24 nuns, 157 military, 2,612 males and 3,755 females. Of these, compared with the average, by other diseases, in the three preceding years—6,262 died of the cholera. The population of this city was about 90,000.

There were heavy falls of snow on the 15th and 16th May, at many places in New York. It was from 6 to 10 inches deep, and sleighs were in requisition.

Com. Downes and lady lately gave a ball to a large and splendid party, on board of the frigate *Potomac*, at Boston. Every thing was gotten up, and passed off, in the happiest manner.

At the Tremont theatre in Boston on the evening of the 36th ult. a party of sailors from the frigate *Potomac* amused themselves by drawing into the second tier of boxes a part of their companions who had taken their seats in the pit. This was done by means of handkerchiefs tied together. One of the tars thus promoted, weighed near 200 pounds.

It is mentioned in the Paris Journal des Debats, of the 22d March, that a Frenchman named Francois Claude Bonnet, a native of the Dordogne, became king of Madagascar, and died a few years ago, in that island, worth seventy five millions of francs. His heirs at law have preferred their claims, and are likely to obtain this immense fortune. They are in decent circumstances, in Perigueux. The Journal de Perigueux claims Stephen Girard as of that city, and considers as extraordinary the coincidence of the cases of opulence acquired abroad.

[Nat. Gaz.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The rush of matter, which *must* be published and registered, not only continues, but daily acquires fresh strength, and will gather yet more, until after the rising of congress—when we shall work hard to bring up the lee-way that we have made, and so relieve the constant embarrassment in which we are placed in the preparation or selection of articles. The post office reports are as formidable to us, on account of their length, as they will be appalling to the public because of the facts disclosed or admitted in them.

The senate having acceded to the proposition of the house, it may be confidently expected that congress will adjourn on the 30th inst. but if even so, many important bills yet pending must be disposed of, and an exceedingly large amount of business laid over—or *evised*, as it is possible that certain exciting things will be. A direct vote might be unpleasant to some—in the present state of public feeling, and excuses, for want of time, are particularly “convenient.”

After a most tedious, harrassing and expensive investigation, the house of representatives has shewed itself unable, or *unwilling*, to decide whether Mr. Letcher or Mr. Moore was entitled to the vacant seat in the delegation from Kentucky! On one occasion, Mr. Letcher came within three votes of obtaining the seat, and would have obtained it, but that the illness of several gentlemen forbade their attendance; for the house had, by the various votes taken, really admitted that Mr. L. had a majority of the legal voters of the district. The election is thrown back to the people. The labored report of the committee is thus discredited, as to its facts and opinions.

Laws must be provided to punish such offenses as have caused Kentucky, at this session of congress, to be deprived of her rightful power over the legislation of the country. We allude to the act of the sheriff who feloniously withheld the returns of his county, and those who aided and abetted him in so doing.

The governor of Virginia has issued his writ for an election to supply the place of Mr. Stevenson in the house of representatives of the United States—to be held next month.

The result of the nomination of Mr. S. as minister to England, in the senate—is very doubtful. This we regard as certain—that the senate will not, because they ought not, act upon his nomination until the president also places before that body the names of persons to fill the offices of secretary of state, secretary of the treasury and attorney general—neither of the incumbents of which, as the majority believes, is *rightfully* holding office. And some think it also necessary to ascertain how many more members of congress are to be nominated at the present session, before they take up the case of Mr. Stevenson—two or three being generally expected, and as many more talked of.

We are sorry to add, that Mr. Stevenson is sick—indecided, some fear is ascertained that he will never proceed on his mission if even sanctioned by the senate.

We present Mr. Clay's report on the land bill, passed at the last session, and retained by the president.

The reports made to the senate on Monday last, shew that the affairs of the general post office are in an “*awful*” state. The department is completely bankrupt, and if “those who deal on borrowed capital *ought* to break,” this great establishment *must* cease its operations!

We have given some of the leading points in the report and counter report, from the “National Intelligencer” and the “Globe,” but have not time nor room, if we would do more at present. Nor is it necessary—for

in the next REGISTER, an effort will be made to present both reports, in full—that all the facts elicited may be fairly before our readers.

One simple remark, however, ought to be made. The embarrassment of this department was known long before the rising of the last congress—and yet the fact was not communicated; indeed, its affairs were rather represented as being in a wholesome state! Now a large sum of money is asked for, that the mails may not be stopped! And this great difficulty presents itself—if the money is voted, the *principle* is admitted that the postmaster general, and all other heads of departments, may *borrow money at their own discretion, and to any amount!*—if refused, it is possible that the whole concern may be endangered!!! To steer between the Scylla and Charybdis offered on the right hand and on the left, is the difficulty. “*Facilis descensus Avernus: sed revocare gradum, &c.*—*Hoc opus hic labor est:* which translated means, “the descent to hell is easy, but to recall your steps, and reascend to the upper skies, forms the difficulty and labor.” We do not see the *in medio tutissimus ibis*—the “middle path” between a *principle* that CANNOT be admitted, and the possibility of an occurrence that will unthine all the relations of social life and of business, if brought about by a continued bankruptcy of the post office department.

Mr. Webster's great speech on the president's protest was published in the “National Intelligencer” of Saturday last, and has since appeared in pamphlet form, and makes 31 octavo pages. We cannot insert this speech until sometime after the rising of congress, but it will be laid aside among the stock articles for use in the recess, which will lose nothing of their value by the delay, whether for reading or reference.

The arrival of a small British cutter-built schooner, at New York, from England, called the Post-Boy, in ballast, and bearing only one letter to a mercantile house, excited a great deal of curiosity in that city last week. Some said she was ballasted with dollars, to take the “mortgage” on the state of New York, &c. but the public are yet as much in the dark as ever, except that the vessel belongs to Rothschild, and had only 21,000 dollars on board. Some speculation is on foot—and it is known that she left Europe in a mysterious manner.

We have, in the “National Gazette” of the 5th inst. a statement of the affairs of the bank of the United States on the 1st June. As in the REGISTER of the 10th ult. page 184, we published a similar statement up to the 1st May, it does not appear necessary to give that for the 1st inst. at full length. We shall, however, insert the comparative figures, that the progress of its business may be understood.

	Loans.	Pub. depo.	Private depo.
May 1, 1834	53,756,485	3,251,345	7,022,820
June 1, “	52,201,912	2,731,988	6,867,892
	Circulation.	Specie.	notes of state banks.
May 1, 1834	16,604,147	11,183,774	3,094,787
June 1, “	16,612,327	12,298,353	3,529,362

\*Since the preceding was written, we learn, from the “Baltimore Patriot,” that the “honorable Isaac Hill” asked Mr. Clayton, how he (Mr. C.) would arrest the “downward course of things,” as the latter had called it, on which Mr. Clayton proposed to make a contract with “Timothy Upham, to keep in order these scurrilous libellers, who are making a trade of calumny, whether their mail contracts be *with* or *without* the newspaper privilege, and I would at all times suffer him to ‘improve his bid,’ and pay him, willingly, an ‘extra allowance’ of five hundred dollars for every chastisement he might inflict on such a libeller. That, sir, would be *one of my reme dies*; of its efficiency, the member may judge.”

There is a *diminution* of (in round numbers) 1,550,000\* in the loans—of 520,000 in the public deposits, and of 245,000 in the private deposits; and an *increase* of the circulation of 8,000—of specie 1,100,000—and of debts and notes of state banks of 235,000.

Since the removal of the deposits, Oct. 1, 1833—	
The reduction of loans has been	7,892,290 05
While the reduction of deposits has been	8,277,417 70

Being more than the reduction of loans by	385,127 65
The reduction of the notes in circulation is	2,515,662 51
The increase of the specie	1,634,891 69
The specie is now	12,298,333 20
The notes and debts of other banks	3,329,362 00

While the notes in circulation amount to	16,612,527 06
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With such *means* and such *proceedings*, the hurrah that the bank was at the feet of the secretary of the treasury, "to be crushed at will," was not more ridiculous or stupid, than is the charge that the bank has caused "the pressure" ignorant or unjust. The line of its discounts being comparatively greater than the line of its deposits, on the 1st Oct. 1833 and 1st June, 1834.

Since the removal of the deposits, the bank has *reduced* its liabilities near eleven millions of dollars, and *increased* its means, in specie, and dues from state banks, to pay its yet remaining liabilities, in the sum of 244,000 dollars.

With its means, it might safely increase its discounts ten millions, but it is *commanded* to wind up its affairs, and dares not extend its accommodations.

The giant strength of the bank is not more remarkable than the moderation with which it has yet been exerted. Such is the *interest* of the bank; and at once, the guaranty of its own safety and that of the public, so far as "the government" will permit the latter.

Since the preceding was written—

It is said that the directors of the bank of the United States have ordered a reduction of loans at the rate of a million a month, and that all accounts with the local banks shall be exactly closed every week.

The present aspect of things at Washington forbids any hope that measures will be taken, at the present session, to quiet the war against the bank, or to relieve the public distress; the bank, then, must defend itself and gather-up its means to preserve a sound currency, in which to receive the large amount of debts payable to it. The almost total cessation of new enterprises, requiring fresh pecuniary accommodations, will permit a great contraction of the circulating medium—but so it is, that if the bank of the United States draws in a million a month, the state banks must (for a time) reduce their loans at the rate of four or five millions, because of the accumulation of specie in the vaults of the United States bank. The local banks have no sort of claim to *continue* indebted to the U. States bank—they should pay their own debts as they expect or require that others should pay those that are due them; but still—we think that, badly as the bank has been used by the *politicians*, it owes a spirit of accommodation to *business-men*, and that these requirements might be considerably reduced with safety to the bank, and relief to the people. And, perhaps, its *real* operations may not justify the appearances of things; for we see it stated that, at New York, to relieve the money market, the bank had made large purchases of bills on Europe. But we have not time to say more on this subject at present.

The following, we believe, is taken from the "New York Journal of Commerce."

A fact of some interest just at this moment, has been pointed out to us by a Spanish gentleman, in the Mexican Calendar for 1833, viz: that the currency of Mexico, including gold bars, (reckoned at \$1,000 each), is not less than *four hundred and eighty million dollars*, all in specie.

We made a brief reference to this "fact" in a late REGISTER—and stated our disbelief of it. The whole population of Mexico does not exceed seven millions, if it

amounts to so much, after the long and desolating evil wars through which the country has passed. It is estimated that one-fifth of a people are *capable* of bearing arms—that is, there is such a proportion of persons between 16 and 60 years old who are able to defend their country; and the proportion of adult persons capable of holding property in their own right can hardly exceed that rate—the youths in the former proportion being equal to the females and aged males in the latter. We then may have about 1,400,000 property holders in Mexico, of all descriptions, and it is pretended that these possess 480 millions of dollars, in gold and silver only, or an average of 343 dollars, in bullion or coin! How can any one believe this! At the same rate, the United States would need about eight hundred millions of dollars!

It should further be recollected, that about two-fifths of the people of Mexico are Indians, and the chief part of the remaining population is made up of all sorts of mixtures of whites, Indians and negroes—which mixtures *Humboldt* estimated at 2,400,000 persons. Some of the Indians are rich in landed property, and a few have a good deal of money—but, in general, they are wretchedly ignorant and improvident and miserably poor, with hardly a week's supply of provisions a-head. Many of the mixed bloods are wealthy, as must be the case seeing that they constitute the power of the country, the pure whites being very few—but a very large majority of these are thoughtless and improvident, without education, and poor.

But if Mexico possessed 480 millions in bullion and coin, how is it that such comparatively small sums of money have been *borrowed* in Europe? And where was such a vast amount deposited, that it has escaped the graspings of the military chieftains, whose seizure of property, or waste of life, has been bounded only by their own arbitrary wills, or means of rapine?

No doubt, as gold and silver are chief staple productions of Mexico, there must always be a large amount of them in that country to carry on the foreign and interior trade, and all the exchanges between individuals. But such is the superiority of a well regulated paper currency, that the bank of the United States has exchanged 250 millions of dollars a year between distant places, many of them 1,000 miles apart, with less trouble and expense, perhaps, and certainly with less parade, than 5 millions are conveyed from the city of Mexico to Vera Cruz—and, as before observed, with about 25,000,000 dollars in specie, our best public stocks, were at 20 per cent. advance—while such stocks of Mexico were 40 or 50 per cent. under par, in exchange for gold or silver; and so it is, that "credit," against which war has been declared by "the government," is better than specie, when rightly regulated and prudently used.

In page 203 we recorded an evidence of the democracy of the present day, in the scurvy attacks of the "organized" press on Mr. *Ewing* of the senate of the United States, charging him with the *crime* of having risen from a very humble rank in society to the honorable place that he fills with so much talent and respectability. We made this record, as we have made many others, that it may be seen, in future times, what are the effects that flow from a *rewarded* as well as an "organized" press, in the appointment of more than one hundred persons connected with it to public places of profit, in a short period of years; and hence it seems that individuals seek preferences in proportion to the filthiness of their assaults on the private character of richly-gifted and honest men, if happening not to agree in political opinion with a set of the foulest *type-blackers* that ever cursed a country—a number of whom are foreign adventurers—late subjects of a king, and, of course, qualified to teach "democracy" to native Americans, even in gross denunciations of such men as Mr. *Ewing*, (who, by the glorious operation of true democratic principles, has raised himself up to one of the most lofty stations which a man can possess in the republic), because that they came from a poorer class of the people. The inconsistency of this is lost sight of in the zeal to do the dirty work assigned, and without reflecting that many of their own *gods* are in the same condition—and some without known fathers.

We recur to this subject to notice one of the arts of the "able" editor of the "Albany Argus."

\*This reduction of loans is probably on account of the western bills arriving at maturity in the Atlantic cities.

The "Evening Journal" of that city, speaking of the "democratic" attack on Mr. *Ewing*, asked—

"Was not Mr. *Wright* a bar keeper and ostler both, at an obscure tavern in St. Lawrence county?"

Mr. *Wright*, one of the senators from New York, is the gentleman referred to—and the "Argus" well observes, in reply—

"It is of little importance whether the interrogatory be or be not founded in truth. If true, although designed as a reproach by the upstarts of aristocratic arrogance and assumption, it would only imply the greater merit that "a bar-keeper and ostler at an obscure tavern," has risen, by a rapid and honorable succession, and by his own unaided efforts, to a seat in the highest legislative body in the union; and that he stands in that body, amidst the proudest and ablest of his countrymen, unsurpassed in talent and personal influence, and far transcending many of his coequeers, in that gentlemanly courtesy and unaffected dignity of manner, which is an attribute of worth, and which adorns but cannot be conferred by rank or station. If untrue (as it is), it is of no moment, except to show how easy is the transition from an affectation of superior gentility and a horror of meanness of occupation, to positive meanness of conduct."

And the reason of the "Argus" for repeating the interrogatory is—

"That the people may appreciate the manner and the spirit with which the pretenders to all the respectability pursue their hostility to the sons of the democracy whom the people have honored with their confidence."

This is all right—so far as it goes. But the fact, that the interrogatory of the "Evening Journal" was intended only to shew the grossness of the assault on Mr. *Ewing*, is altogether concealed!—and the people of New York are to be made believe that the interrogatory concerning Mr. *Wright* was an original outrage on him, when, in sober truth, it was made for the simple purpose of shewing the democracy of that made upon Mr. *Ewing*, a gentleman, every way, his equal in talent and character.

The worst of all —, are those which are told in the words of truth.

[Since the preceding was in type (for it is a deferred article) the "Albany Evening Journal," has noticed the case].

The "New York Times" (the successor of the "Standard") says—

We are informed that there has been more cotton exported from this country in the last six months to Europe, than in the entire year previous. Will those who are informed upon the subject, correct us if we are in error. We presume that this must be attributed among the many other evidences of the prosperous state of the country, to "the disastrous removal of the deposits."

If not in the removal of the deposits, a good reason might be found in the stoppage of American cotton spindles, for the excessive export of cotton—if such there has been, without also an excessive production.

The common council of New York, though they have not "swept the board," have "reformed" a large number of the corporation officers—that is, turned them out, and supplied their places with other men. It appears by the votes that the "whigs" have a decided majority of at least four in the council. In some cases the majority was greater, in others less.

We are altogether opposed to the principle of such "reforms"—yet it is sometimes absolutely necessary to reduce them to practice, for the correction of error and condemnation of prevailing abuses. This necessity exists when a party has filled all places of profit and influence with devoted and active friends, using their office for political purposes, that the "spoils" may remain with them. We do not think that a public officer should be denied a liberal exertion of the right of opinion—but regard it as disgraceful and *Swiss-like*, when seeing them act the part of bullies at public meetings, or at the polls, and otherwise using the power that they happen to possess, to force the opinions, or, at least, direct the votes of other men. We saw some disgusting cases of this kind as far back as 1798—but they did not often occur, within the scope of our own observation, until the election of president *Jackson*—and then against his serious denunciation of such abominations! But now it is so, that most persons who hold office under him are leaders, or drillers,

of the party in their several neighborhoods—the drummers-up of meetings, and the finger-posts of the proceedings of them, fighting for pay. A great horror has been expressed because Messrs. *Webster* and *Binney* briefly addressed a multitude in Baltimore, on a Sunday afternoon, on compulsion, as it were—but we have seen and, somewhere, have the list, (taken on the spot), of more than thirty persons in the direct line of the United States engaged in the business of electioneering, on a Sunday afternoon, in the White Hall gardens, Baltimore. The list was mislaid, or it should have been published.

In New York, however, on a broad scale, and in Pennsylvania, and, perhaps, some other states, a disciplined electioneering body of office-holders has long and steadily existed—and hence the vacillating policy, or politics, of these states, in the quarrels between the ins and the outs, in which the people have no interest, though too often made tools of the possessors of the feedings at the public crib, where there is plenty of "fodder," as *Crockett* calls it. And in those states, and with respect also to the officers of the United States, a great reform will be made on every change of political power until better feelings prevail, and office-holders are taught that interferences with elections, as at present practised, and as reproved by president *Jackson*, if "rewarded" on the one hand, will be "punished" on the other—"for few of these die and none resign," as president *Jefferson* said, when he "corrected the procedure," by reducing things to some degree of equality, in this respect.

We are glad that, in New York, a good many faithful public servants have been "let-alone," as well as that the organized corps has been disturbed. The lesson, either way, will be useful.

On this subject we have much feeling, both on account of principle and interest—for we have solemnly to express an opinion that the "reforms" of the general post office are costing us at the rate of one thousand dollars a year, and are ready to say—cursed be the man who reduced that establishment into the discipline of political party, and designed that, so to have it under charge, the postmaster general should be introduced into the "cabinet." The bringing into it of the chief justice of the U. States would only be its major offence against the general welfare.

Mr. Clay, in a late speech, said—"For one, I can assure the senator from Tennessee, that I am no candidate, that I do not desire to be a candidate, and that, if it depend upon me alone, I never shall be a candidate for any office whatever."

The supreme court of South Carolina, (judges O'Neil, Johnston and Harper being present, and the latter dissenting on some of the points made), that the test oath, established by the late convention held in that state, is unconstitutional. We have an abstract of the opinions of the judges, &c. and it is laid off for a speedy insertion. The decision has excited a great deal of feeling—of joy on the one side, and of anger on the other.

A writer in the "Richmond Enquirer" of the 10th inst. commences a strange article as follows:

We may talk of this great man and that great man—we may admire the fascinating eloquence of Clay, the profound logic of Webster, the brilliant imagination and metaphysical graces of Calhoun; and, if you please, the fiery invectives and violent denunciations of Leigh; but, in my view, for clear comprehension, efficient and triumphant reasoning, on the all-engrossing and deeply-exciting bank question, we have only to turn our eyes to the luminous speeches of Thomas H. Benton of Missouri, to perceive that he stands unrivalled, and has gallantly borne away the palms of victory from the allied champions of the opposition.

Which irresistibly brings to recollection a certain celebrated letter about the "East Room," first published in that paper some year ago, and to be found in vol. 37, page 116 of the REGISTER.

The *Louisville Advertiser* of the 26th ult. says:—

"Senators are but public servants, and if they have neglected their duties, defied the voice of their constituents, and arrogated to themselves powers and privileges unknown to our form of government, and unsanctioned by its fundamental law, they will receive from the voice of

\*"Aristocratic" as applicable to Mr. *Wright*!

an indignant nation that deep and damning condemnation due to such flagitious acts."

The *Pennsylvanian* says, now is the time to "get rid of it, [the senate], at once and forever."

In a late number of the "Globe," it was said—

We venture the prediction that no majority will be found in the next Virginia legislature to vote the return of Mr. Leigh to Washington—the restoration of the deposits to Mr. Biddle—a renewal of the charter of the bank—or approval of the senate's impeachment of the president, and vote whatever else it may, we believe that the great cause for which the president contends, will be supported by a large majority in that body—the final extinction of the bank of the United States.

As *William Cobbett*, a member of the British parliament, and celebrated in "two worlds" for his ruffian-like writings and destitution of moral principle, has lately become a great favorite with certain persons in the United States, we make room for the following from his Register of the 19th April last, as presenting a beautiful specimen of the head and heart of this biped:

*Citizen king*—In less than six days after this fellow was placed upon the throne of France by the intrigues of Lafayette, Lafayette, and a set of others who ought to have been hanged up by dozens, I said that he had been placed there to keep the "nest warm" for the old stinking Bourbons, and to uphold the infamous funding system of France. And I told the French people then that the *Bourse* was a thousand times more tyrannical than the *Bourbons*, and that if they continued to pay the interest of their debt in full, they would be, and they deserve to be, slaves more degraded than their forefathers ever had been.

We immediately saw, at the head of the national guard, the scoundrel bankers and money dealers; two or three of Rothschild's clerks were captains or lieutenants of the national guard; Perier, the banker, was a colonel; and that wretched old hypocrite, Lafayette, who has sold his American lands, and turned them into what the villains call "stock;" this supreme hypocrite, who has since saved the lives of the traitors Polignac and Peyronnet; this prime old hypocrite, being appointed commander of the national guard, chose a stock broker for his adjutant general. In short, from the commencement of this last revolution to the present time, the grand object of that stock jobbing government has been to arm those who live upon the taxes, for the purpose of compelling the working people to live upon potatoes or garbage, worse than the food of dogs. This has been the ruling principle of this infernal government. To hire endless battalions of fat soldiers, riding upon fat horses, to kill the people who work and produce every thing, unless they will work sixteen hours a day, and live upon diet worse than that of dogs or ferrets.

The French are a people easily deceived. But who would not have been deceived by old Lafayette, who was one of the deep contrivers of this present system of government. Far better for Lyons to perish, and all the people in it, than that all those who do the work should be fed like dogs. With regard to the murdering myrmidons called "the army," no matter when or how or where, so that they be killed. In a case like that of Lyons, every thing used against them is laudable. They are there for the purpose of killing the working people or imposing starvation upon them.

Many cases of cholera are still happening in the south and west, and it is reported to be bad at Mobile. It is so among the passengers ascending the rivers of the west.

Many houses have been thrown down, and much other damage committed, by unusually severe tornadoes, with which some parts of eastern Virginia have been recently visited. These were particularly destructive in Chesterfield, Nottaway and Dinwiddie. On some of the farms all the buildings were blown down or damaged, and several persons were killed and many injured. Like storms have been felt in South Carolina, Alabama, &c.

Miss *Fanny Kemble* was married in Christ church, Philadelphia, by the venerable bishop *White*, on Saturday last, to Mr. *Pierce Butler*. There is a great deal of fustian, or other soft stuff, about it in the papers. The world will not come to an end because Miss K. has become Mrs. B.—nor will the stock of beauty or of talent be exhausted by her retirement into married life, and from the stage; but we wish her not the less "joy" on either account.

The "New York Annual Register," published by Mr. *E. Williams*, is one of the most valuable and carefully edited works of its kind in the world, and, to the state, is more than Mr. *Force's* "National Calendar" is to the United States. The statistics of the great state of New

York are industriously collected, and admirably prepared for common use, by the industrious and worthy editor just named. We are anxious to present our readers with many curious and interesting extracts from it.

We have the usual annual report concerning the Chesapeake and Delaware canal. The gross receipts for the year ending 1st June were \$54,091 66—nearly \$7,000 less than last year, in part caused by an interruption of the navigation of the canal, which has been much damaged. The affairs of the company are embarrassed, and the damages awarded in favor of Mr. *Randall*, (226,385 dollars) also hang over them. It is thought that the business of the canal will be increased in consequence of the opening of the Delaware and Raritan canal—there now being an interior navigation from New York to Norfolk, direct.

We regret to learn that Mr. *Ritchie*, editor of the *Richmond Enquirer* was thrown from his horse on the 29th ult. and very much injured, but without breaking or dislocating a limb; yet it was hoped that, in a few days, he would be able to resume his editorial labors.

*Richard J. Manning* [the union candidate] has been elected, by a majority of more than 600 votes, over Mr. *Elmore*, his opponent, to fill the vacancy in the representation in congress, from South Carolina, occasioned by the decease of gen. *Blair*.

The *Pittsburgh papers* have a long statement of Dr. *Wm. Mitchellree*, showing that he had been denied the "rights and privileges of the church," as he called them, because that he would not "quit the liquor business."

The following resolution, extracted "from the minutes of the session of the first Presbyterian church of Pittsburgh," is published as a part of this statement—

"Resolved, That in consequence of the unchristian deportment of Dr. Mitchellree, as exhibited by him on the present occasion, as well as of his determination to persist in the manufacture and sale of spirituous liquors, he be suspended from the communion of the church until a more Christian disposition be manifested."

Dr. M. in consequence, advertised his pew for sale, and here the matter, we suppose, ended.

There is a powerful emigration to America in the present season. Up to the 5th inst. there arrived at New York 15,946 persons, and to same date last year only 9,066—increase 7,880. So at Quebec—to the 28th ult. 8,040; to same time in 1833, only 1,363. On which it is remarked—

"In regard to New York the comparison is a fair one, and indicates a great increase of passengers this year over 1833. But at Quebec, so much depends upon the date when navigation opens, that very little reliance can be placed upon the comparison: though the presumption certainly is, that a large increase has taken place there also. On the 19th June last year, there had been 395 arrivals at Quebec, and 9,010 emigrants. The whole number of emigrants at Quebec in 1833 was 22,062; at New York, 41,752. At Quebec in 1833, 51,422; at New York, 48,589."

It is ascertained that 740 persons and 18 vessels, were recently lost on their way to Quebec.

#### FOREIGN NEWS.

From *Liverpool papers* to the 10th May and London to the 11th. GREAT BRITAIN AND IRELAND.

The government of England has granted a pension of £70 per annum to the widow, and of £50 per annum to the daughter of the late *Richard Lander*, the African traveller.

The *Trades' Unions* are said to be falling into disrepute, and many who had enrolled themselves under them are returning to their ordinary labor.

It had been at length publicly announced that the financial operation of reducing the 4 per cents. would be carried into effect, and it is expected that it will be followed up by correspondent reductions of other stocks.

The Irish titles-bill had passed to a second reading by a majority of 196.

The correspondent of the *London True Sun*, under date of Paris, May 7th, says—"A disastrous catastrophe has occurred at Toulon. On firing her *sabre d'artillerie* with the French ships, in honor of *Louis Philippe's* fetle, the Constellation, American frigate, fired with ball into the French frigate *Le Suffren*, by which unpardonable neglect one man belonging to the latter vessel was cut in twain, two mortally, and four grievously wounded. This unfortunate mishap had excited great irritation on the part of the French sailors against the Americans."

## PRUSSIA.

The court of Prussia has declined to receive general Goblet as ambassador from Belgium, regarding him as a deserter from the service of the king of Holland.

## DENMARK.

The Hamburg correspondent of the London Gazette, in a letter from Copenhagen of the 26th April, announces that the king of Denmark had issued an ordinance declaring that there shall be the most perfect equality between all the free subjects in the Danish colonies, so that all the distinctions between the whites and the men of color, are forever abolished. By the same ordinance, all the men of color are henceforth to become free on producing proof that they have maintained an irreproachable conduct for three successive years, and are to enjoy the same civil and political rights as the white population.

## FRANCE.

The manufacturers of France have suffered severely by the insurrections at Lyons. At Calais and Boulogne the net-manufacturers have suffered. The goods sent to Lyons remained unsold, and the bills drawn in consequence have not been accepted. The manufacturers, overloaded with goods, have ceased to employ their men, excepting only one for each machine, as necessary for keeping it in order. The national guards of Lyons have been dissolved. Incarceration was the order of the day there, upwards of 700 persons having been imprisoned. The slaughter at Lyons during the riots is said to have been exaggerated. The actual loss is thus stated: on the part of the government troops killed 55, wounded 258, (of these last only 56 survived), on the part of the workmen killed and wounded, from 500 to 600. It is agreed that the number of inoffensive persons killed and wounded exceed that of the combatants.

Two large camps are to be formed in the environs of Lyons and Paris and St. Omer, of one of 80,000 men.

## PORTUGAL.

The Pedrites, it is stated, have taken Figuera, and Coimbra has declared for Donna Maria—that the whole of the road from Oporto to Lisbon was open to the Pedrites, and that Don Pedro and Miguel had formed an armistice. It is further said, that Don Pedro has informed the pope, that unless he withdraws the excommunications against himself, the queen, the ministers and certain adherents, that he will stop the annuity of £40,000 annually paid to the papal see by Portugal.

## SPAIN.

It is affirmed that a telegraphic despatch had been received at Paris, stating that Don Carlos had been captured, and, by permission, had embarked for England. The government troops and Carlists had an encounter on the 3d May, on the road between Tolosa and Pampeluna. A dreadful conflict is said to have occurred on the occasion. The insurgents were completely defeated and routed.

## SWITZERLAND.

The Swiss diet were to be convoked to receive the ultimatum of the Austrian government relative to political refugees, whom it is thought have been ordered out of Switzerland.

## TURKEY.

Mehemet Ali had recalled the exiled Candlots and restored to them their sequestrated property. A conspiracy had been discovered at Aleppo, and twenty persons implicated in it executed. The island of Samos was to be strictly blockaded.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

## SENATE.

June 6. The following bills were severally read the third time and passed:

The bill to grant to the state of Ohio, certain lands for the support of schools in the Western Reserve, and

The bill to establish the northern boundary line of the state of Ohio.

The remainder of the day was occupied in the consideration of bills of a private nature. Adjourned.

June 7. The chair communicated a report from the commissioners under the act to carry into effect the late treaty with France, which makes the following exhibit of the claims admitted, rejected and suspended in the aggregate, with the interest claimed on each, viz: admitted, principal 17,065,917 36, interest 24,574,920 99—total \$41,640,838 35—rejected, principal 618,258 72, interest 1,001,579 12—total \$1,619,837 84—suspended, principal 3,272,325 94, interest 5,301,168 02—total \$8,573,493 96—grand total amount of claims presented, principal and interest, \$51,834,170 15.

The report having been read,

Mr. Sprague rose and addressed the senate, going to show the improper and erroneous statements contained in a letter from Mr. Rives, as communicated with the treaty, to which in a great measure, he ascribes the non-fulfilment of the stipulations of the treaty by the French chamber of deputies.

Mr. Sprague having concluded, the report was ordered to be printed.

The bill to increase and regulate the pay of surgeons and assistant surgeons of the army, was read a third time and passed.

Several bills of a private or local character being considered and acted on,

The senate proceeded to the consideration of the bill to provide for the settlement of the claims of states for interest on their advances to the United States, during the late war, and after debate ordered it to a third reading by the following vote:

YEAS—Messrs. Bell, Chambers, Clay, Clayton, Ewing, Frothingham, Hendricks, Kent, Knight, Leigh, McKean, Naudain,

Porter, Prentiss, Robbins, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Webster, Wilkins—24.

NAYS—Messrs. Benton, Bibb, Black, Callioun, Grundy, Hill, King, of Alabama, King, of Georgia, Mangum, Moore, Morris, Preston, Robinson, Tallmadge, Tipton, White, Wright—17.

The senate then adjourned.

June 9. Mr. Robbins presented the resolutions from the general assembly of the state of Rhode Island, re-monstrating against the measures of the executive in relation to the bank of the U. States and the finances, and praying for a restoration of the deposits; which were laid on the table and ordered to be printed.

Memorials, &c. of a similar tendency were presented by Mr. McKean, from 126 citizens of Cambria county, Pennsylvania; and by Mr. Bibb, from a number of citizens of Warren county, Kentucky—real, &c.

A memorial, sustaining the course of the administration with regard to the bank, was presented by Mr. Wright, from sundry citizens of Ontario county, New York, and by Mr. Shepley, from Seth Pills, of Maine, stating that he had inadvertently signed a memorial in favor of the bank of the United States, and praying his name may be erased therefrom—the first memorial was read, referred, &c. and the prayer of the latter granted.

Mr. Ewing, from the committee on the post office and post roads, who had been charged, by resolution of March last, with the task of investigating the condition and transactions of the department, with power to send for persons and papers, made a report, which was read by Mr. Ewing, occupying an hour and fifty-five minutes.

The report concludes with the following resolutions:

1. Resolved, That it is proved and admitted that large sums of money have been borrowed at different banks, by the postmaster general, in order to make up the deficiency in the means of carrying on the business of the post office department, without authority given by any law of congress; and that, as congress alone possesses the power to borrow money on the credit of the United States, all such contracts for loans by the postmaster general are illegal and void.

2. Resolved, That several reports of the postmaster general contain statements which, in subsequent papers, he admits to be erroneous; that others, especially those of the 18th of April, 1832, and the 3d of March, 1834, are inconsistent with each other; and that, therefore, reliance cannot be placed on the truth and accuracy of the communications made by the department.

3. Resolved, That it is fully proved, that a practice prevails in the post office department of granting contracts on bids which vary from the advertisements, and of changing and altering contracts in material respects after they have been accepted, and that this practice prevents all fair competition among persons wishing to make contracts, is calculated to give undue advantage to favorites, and is in violation of law.

4. Resolved, That it appears, that an individual who made a contract for the transportation of the mail, was required to give it up for no other reason than that it might be given to another, desirous of having it, and that the act of the department, in requiring such surrender and in effecting the transfer, was illegal and unjust.

5. Resolved, That it appears that the proposals for carrying the mail on the route from Chicago to Green Bay, was withheld from advertisement; that the contract therefor was given in another name, but really and truly to one of the clerks in the department; that the compensation proposed in the bid was raised without any increase of service; and that the transaction is a direct breach of law.

6. Resolved, That extra allowances have been granted to contractors without any increase of duty or service on their part, and that in other cases extra allowances have been made which are unreasonable, extravagant, and out of all proportion with the increase of service.

7. Resolved, That the postmaster general has established steamboat lines, for the transportation of the mail, by private contract, at an enormous expense, and without authority of law.

8. Resolved, That the public credit has been pledged for the benefit of individual contractors, and that contractors have been solicited and induced to aid, with their personal credit, the business of the department; and that all such transactions are unjustifiable and improper.

9. Resolved, That it does appear that mail lines have been established to run more frequently than once a day, at a very heavy expense, where no adequate public object required such provision.

10. Resolved, That pecuniary transactions of a very irregular nature are proved to have taken place between the contractors and some of the chief officers of the post office department.

11. Resolved, That the post office department is now deeply in debt; its affairs in disorder; its accounts and reports irregular and unsatisfactory; that it is justly the subject of public complaint, and demands a radical reform.

12. Resolved, That the incidental expenses and secret service money of the department has increased, is increasing, and ought to be diminished.

13. Resolved, That it does appear that an agreement was entered into between two companies of mail contractors, the express object of which was to put down competition in the transportation of passengers in their respective mail routes; that said agreement was drawn by an officer of the department, and entered into at his pressing instance, and that it was sanctioned by the postmaster general; and that such agreement, so sanc-

tioned, is an interference with the honest pursuits of the free citizens of these United States; that it tends to establish an odious and oppressive monopoly, and is an unjust invasion of private rights.

14. *Resolved*, That it does appear that mail contractors have received large extra allowances, and have, about the time of receiving such allowances, become the proprietors or contractors of newspaper presses, of a partisan character. It also appears, that a newspaper editor, in the state of New Hampshire, is a contractor for carrying the mail on numerous routes, "with paper privilege," and that every such act or artifice, tending to unite the press with the post office department, is a dangerous abuse and ought to be corrected.

The report having been read,

Mr. Grundy said he held in his hands a paper containing the views of the minority of the committee, consisting of himself and the senator from Illinois, which he asked might be received and read to the senate. The paper, he said, though treating on precisely the same subjects as those in the report just read, yet differed from it in some very material respects; and he believed that every senator would be better able to understand the whole subject by reading both documents together, than either of them separately.

The report of the minority being received and read, after some remarks from Messrs. *Ewing, Grundy, Forsyth* and *Porter*, the reports were ordered to be printed.

Mr. Southard said that those reports represented matter of unusual interest to the public. They exhibited, perhaps, more misconduct and maladministration than was ever known to exist in any department of any government. They shewed the insolvency of the department of the post office, to the amount of more than \$800,000, which was, of itself, enough to show the necessity of circulating them as widely as possible. He was perfectly aware that the minority committee did not go to that extent; but it struck him as a singular circumstance, that that minority should have discovered an insolvency to the amount of something less than \$300,000, when the head of that department should have asked for the sum of \$450,000, saying that he could not get along without it. But that fact alone, with others which were exhibited, were of such a character, that he felt desirous there should be a large number of extra copies printed. He would therefore move that 15,000 extra copies of the reports and documents should be printed.

Mr. Forsyth objected on the ground of the expense.

Mr. Mangum moved the printing of 30,000 copies.

Mr. Southard accepted the modification.

After some conversation between Messrs. *Forsyth, Wright, Chambers, Swift, Grundy* and *Ewing*—

On motion of Mr. *Swift*, the further consideration of the subject was postponed until to-morrow.

The resolution from the other house fixing on the 30th of June, inst. for the adjournment of congress, was then concurred in.

Mr. Clay alluded to the order, adopted some time since, for the making out the number of the signatures to the memorials on the subject of the public distress, and moved the adoption of an order continuing the list to the present time, which was adopted.

After some reports on memorials of a private character,

The chair then called the next special order relating to the French claims, when, on motion of Mr. *Chambers*, the senate adjourned.

June 10. Memorials, proceedings of meetings, &c. remonstrating against the removal of the deposits, and praying their restoration to the bank of the United States, were presented by Mr. *Southard*, from Hunterdon county, New Jersey; by Mr. *Webster*, from citizens of the borough of Mercer, Pa.; which were read, referred, &c.

Mr. *Sitsbee* reported a bill to enlarge the port of entry of Philadelphia, which was read and ordered to a second reading.

Mr. *Typton* asked and obtained leave for the committee on military affairs to be discharged from the further consideration of the memorials of the officers of the late war, praying donations of lands.

Mr. *Webster* asked and obtained leave for the committee on finance to be discharged from the further consideration of the resolution inquiring into the propriety of allowing per diem and mileage to E. R. Potter, while contesting the seat of senator from Rhode Island; whereupon,

Mr. *Wright* submitted a resolution authorising the allowance in question, as to the time which Mr. Potter expended in attendance, &c.

Mr. *Chambers* reported a bill appropriating \$15,000, annually, to the corporations of the District, to enable them to extinguish so much of the interest annually accruing on their existing debt—read, &c.

Mr. *Robbins* reported a joint resolution to provide for the procuring an equestrian bronze statue of Washington, to be placed at the eastern front of the capitol.

The proposition to print 30,000 extra copies of the post office reports, was taken up and debated; but before any vote was taken, on motion of Mr. *Preston*, the senate adjourned.

June 11. Mr. *McKean* presented the proceedings of an unusually large meeting of the citizens of Crawford county, Pa. condemning the action of the executive against the bank, reprobating the protest, the renominations of the government directors, the withholding nominations, and the refusal, by the executive, to receive committees of meetings of the people; and

Mr. *Preston* presented proceedings of a similar character from a meeting of citizens of Chester district, South Carolina; which proceedings were respectively read, &c.

On motion of Mr. *Bibb*, the senate took up the joint resolutions reported by the select committee, on the subject of amending the constitution in reference to the election of president and vice president.

Mr. *Leigh* moved to lay the resolutions on the table, which motion, after remarks by Messrs. *Leigh, Benton, Bibb* and *Tyler*, prevailed.

The senate again proceeded to consider the proposition to print 30,000 copies of the reports on the post office, which, after debate, was decided in the affirmative, yeas 26, nays 14. The senate then adjourned.

June 12. Memorials, proceedings, &c. remonstrating against the removal of the deposits, &c. were presented, by Mr. *Tomlinson*, from the town of Lyme, Connecticut; by Mr. *Webster*, from 937 citizens and electors of Tompkins county, New York; which were read, referred, &c.

Mr. *Southard* reported a bill to regulate steamboats navigating our waters; which was read and ordered to a second reading.

Mr. *Webster* reported the general appropriation bill from the other house, with amendments and accompanying documents, which were ordered to be printed.

Mr. *Chambers* reported a bill granting \$70,000 annually, for three years, to be expended under the direction of the corporation of the city of Washington, towards the extinguishment of the interest on its public debt; which was read and ordered to a second reading.

Mr. *Wilkins* introduced a joint resolution providing for the purchase of a certain number of copies of Elliott's Diplomatic Code—read and ordered to a second reading.

Mr. *Clay* submitted a resolution calling for information as to the total quantity of certificates of scrip issued to certain officers and soldiers of the revolution, &c.

The resolution providing for the meeting of the senate at 11 o'clock, A. M. was considered and agreed to.

On motion of Mr. *Wilkins* the senate then went into executive business, and after remaining for some hours with closed doors, adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, June 6. Mr. *Polk* reported the bill, from the senate, with an amendment, supplementary to an act to alter and amend the several acts imposing duties on imports—also the bill making additional appropriations for the armory at Harper's Ferry, for the year 1834—which bills were read and committed.

The bill making appropriations for the construction of certain roads in Michigan, was taken up, and debated until the house passed to the order of the day, being the bills relating to the District of Columbia, in the consideration of which the remainder of the day was consumed. The house adjourned.

Saturday, June 7. Mr. *J. Q. Adams* remarked that he believed the time had come, for which he had been waiting nearly two months, when the resolution, formerly submitted by him, calling for information as to the state banks, was the next in order to be considered.

The speaker having ascertained that it was so;

Mr. *Adams* said he would modify the resolution to read as follows:

*Resolved*, That the secretary of the treasury be directed to lay before this house the names of the presidents, cashiers, directors, stockholders, lawyers and solicitors of all the banks selected by him as depositories of the public moneys in the place of the bank of the United States and its branches; together with the amount of stock in said banks held by each stockholder, and the amount of debt due by each president, cashier and director, of each of the banks to the said bank, at the time when it was selected as a depository, and at this time.

The question being on the adoption of the resolution;

Mr. *Cambreleng* said that as he did not consider information as to the private debts of the individuals named in the resolution to be at all necessary for the house to have, he would suggest to the honorable gentleman from Massachusetts, to further modify his resolution, so as to require only the aggregate amount of debt due by the presidents, directors, &c. of these institutions. He was certain the gentleman's motive in calling for the information was of a public nature.

Mr. *J. Q. Adams* said the information which the gentleman from New York had stated, was not what he, Mr. A. wanted; the aggregate amounts would not furnish the information which he had called for. His object in asking it was of a public nature, and was not for the gratification of any personal feeling. He required it because he believed it would be vitally interesting to the public to know the amount of debt, the proportion of stock that had been, as well as the amount which was at present, held by the president and directors of the deposite banks. He would further add, that the information as proposed by his resolution was essential to ascertain the safety of those state banks for the object for which they were recently selected. It was essential to ascertain their character and credit. This was the more necessary as it was known that state banks were governed by individuals having apparently large interests in them, who had in fact little or no interest at all in them. Their interest existing only in stock notes on which not a dollar in reality had been paid.

Mr. *Stewart* moved to strike out "lawyers and solicitors."

Mr. Polk moved the following as an amendment:

"The secretary also communicate to this house the amount of debts due by the president, cashier and directors of the bank of the United States to said bank at this time, or at any time within one year last past, and also the names of the lawyers and solicitors of the bank of the United States and branches, and the amount of debt due by each, to said bank, at this time, or at any time within one year last past."

Mr. Polk doubted the power of the secretary of the treasury to procure the information from the state banks. It had been said there were no legal means by which he could compel them to give it; it could not be obtained unless voluntarily given.

Mr. Stewart inquired if it was possible for the secretary of the treasury to communicate the information called for.

Mr. Coulter advocated Mr. Adams' resolution at length. He had no doubt that the honorable member from Massachusetts was actuated solely by objects of public consideration worthy of himself, of the house, and of the nation. He would not inquire whether the secretary of the treasury had the power to cause the information to be given; for if he had it not, he ought to have had it, as it was by his own act the public treasure had been placed in these institutions, and congress should hold him accountable for the funds so put by him into these state banks.

The question having been put on the amendment moved by Mr. Stewart to strike out the words "lawyers and solicitors," it was negatived. Thereupon, Mr. Polk submitted his amendment calling for information from the bank of the U. States.

Mr. John Q. Adams would be willing to receive the amendment of the gentleman from Tennessee, if he would modify it so as to make it only coextensive with the call for information for inquiry into the state banks. He not only proposed to extend it to the lawyers and solicitors, but he desired also to know the proportion of private debts due by them respectively. This was more than he contemplated; it was entering upon grounds of a questionable nature as to the right of the house to make the call.

Mr. Beady proposed, if in order, to amend the amendment of the hon. member from Tennessee, by inserting the following words:

*Be it further resolved, That the secretary of the treasury also inform the house of representatives, whether the president of the United States, heads of departments and treasurer, have been in the habit of keeping their private accounts in the branch bank of the United States, in the city of Washington, and at what time did they, or either of them, cease to keep their accounts in said branch bank."*

Mr. Selden suggested some verbal amendments to Mr. Adams' resolution, which were accepted by the latter.

The debate was continued by Mr. Polk until arrested by the orders of the day, being the bills in relation to the District of Columbia; and

The house, in committee of the whole, severally took up the following bills:

The bill for the benefit of the city of Washington.

The bill for the benefit of the city of Alexandria.

The bill to prohibit the District banks from issuing notes of a less denomination than ten dollars.

The supplement to the act incorporating the Chesapeake and Ohio canal company.

The bill relative to a lateral rail road to Baltimore; which bills, after being gone through with, were severally reported to the house.

The bill for constructing a bridge across the Potomac, and

The bill making appropriations for the public buildings, were severally taken up, and after being considered and amended, were reported to the house; and then the house adjourned.

**Monday, June 9.** The hon. Mr. Steele, representative elect from Maryland, in place of the hon. Mr. Dennis, deceased, appeared, was qualified, and took his seat.

Mr. Miller, of Pa. asked the unanimous consent of the house to take up and dispose of the resolution of Mr. J. Q. Adams, requiring information with respect to the state deposit banks—

Objections being made,

The house took up the memorial from the inhabitants of York county, Pa. denouncing the recent executive measures against the bank of the United States, &c. and

Mr. Barnitz resumed and concluded his remarks in support of the views of the memorialists.

The memorial was ordered to be laid on the table.

Mr. Polk moved that the house now take up the appropriation bills, and asked the unanimous consent of the house to do so.

Objections being made, Mr. Polk moved a suspension of the rule.

Mr. Wise reminded the gentleman from Tennessee that the memorial from Gloucester county, which he had presented, and upon which he had moved certain resolutions, had been lying over some weeks, he, therefore, hoped Mr. P. would withdraw his motion to suspend.

Mr. Polk declined, and left it to the house to decide whether they preferred to have an exploded subject revived.

After further remarks by Messrs. Wise, Polk, Burges, Wardwell and Beardsley, the question was taken on the motion to suspend the rule, and decided in the negative, yeas 112, nays 65, there not being two-thirds in its favor.

Mr. Miller then renewed his motion to take up Mr. Adams' resolution, and objection being made, he moved a suspension of the rule; which motion

The speaker declared to be out of order; and

Thereupon, the house proceeded to the consideration of the memorial from the inhabitants of Gloucester county, Va. together with the resolutions moved by Mr. Wise some weeks since.

Mr. Wise entered at length into an argumentative speech in support of the resolutions.

Mr. Peyton replied, and concluded by moving the resolutions he had offered when Mr. Wise's resolutions were first presented, as a substitute therefor.

Mr. Miller moved to lay the memorial and both sets of resolutions on the table; and the resolutions and amendment were then read at the clerk's table; when

Mr. Fillmore inquired whether the question was divisible? The chair decided that it was not.

The yeas and nays were then called and stood as follows:

YEAS—Messrs. John Adams, Wm. Allen, Anthony, Beale, Bean, Beardsley, Beaumont, Blair, Becke, Bodle, Bouldin, Brown, Burch, Burns, Bynum, Cambreleng, Carr, Casey, Chaney, Chinn, S. Clark, Clay, Coffee, Cramer, Day, Dickerson, Dickinson, Dunlap, Forrester, Wm. K. Fuller, Fulton, Galbraith, Gillet, Gilmer, Joseph Hall, Halsey, Hamer, Hannegan, Joseph M. Harper, Harrison, Hathaway, Hawkins, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Cave Johnson, Benjamin Jones, Kavanagh, Kinnard, Lane, Lansing, Laporte, Luke Lea, Thos. Lee, Leavitt, Loyall, Lyon, Lytle, Abijah Mann, Joel K. Mann, Martin, John Y. Mason, Moses Mason, McIntire, McKay, McKim, McKinley, McLene, McVean, Miller, Henry Mitchell, Robert Mitchell, Mullenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, F. Pierce, Pierson, Polk, Pope, Schley, Smith, Speight, Standifer, Stoddert, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turril, Vanderpoel, Van Houten, Vagener, Ward, Wardwell, Webster, Whalon, C. P. White—105.

NAYS—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Archer, Ashley, Banks, Barber, Barnitz, Barringer, Baylies, Beady, James M. Bell, Binney, Briggs, Bull, Burges, Cage, Chambers, Chilton, Choate, William Clark, Clayton, Clowey, Corwin, Coulter, Darlington, W. R. Davis, Davenport, Deberry, Deming, Denny, Dickson, Duncan, Evans, Edward Everett, Horace Everett, Ewing, Felder, Fillmore, Foster, Philo C. Fuller, Gamble, Garland, Gholson, Grayson, Grennell, Griffin, Highland Hall, Hard, Hardin, James Harper, Hazeltine, Heister, Jabez W. Huntington, Jackson, William Cost Johnson, King, Lay, Lewis, Lincoln, Martindale, Marshall, McCarty, McCosman, McKennan, Mercer, Milligan, Moore, Peyton, Pinckney, Potts, Ramsay, Reed, Rencher, Selden, Augustus H. Shepperd, Wm. Slade, Sloane, Spangler, Steele, Wm. P. Taylor, Philipson Thomas, Tompkins, Turner, Tweedy, Vause, Vinton, Watnough, E. D. White, F. Whittlesey, Elisha Whittlesey, Wilde, Williams, Wilson, Wise, Young—97.

On motion of Mr. C. P. White, the house then adjourned.

**Tuesday, June 10.** After various reports, &c. on private claims, Mr. C. P. White reported, without amendment, the bill from the senate for the better organization of the U. S. marine corps—committed.

Mr. C. P. White also reported a bill authorizing the construction of three steam batteries,

Mr. Parker reported a bill to provide rations for the navy— which bills were twice read and committed.

Mr. Polk made an unfavorable report upon the bill, from the senate, for the benefit of the Roman Catholic church of St. Louis.

Mr. Mercer submitted a resolution providing for the arrest of debate.

On motion of Mr. R. M. Johnson, the bill further to extend the time for the purpose of enabling revolutionary soldiers to locate military land warrants, was taken up, amended and ordered to a third reading.

The house then proceeded to the consideration of the Kentucky contested election. A large portion of the remainder of the day was taken up in motions relative to the admission or rejection of individual votes, and these chiefly with respect to Mr. Letcher's poll.

In the debates which followed these several motions, many gentlemen warmly participated.

Finally, Mr. Lytle, of Ohio, (having previously made the same motion without its being seconded by a majority), again moved the previous question; which was seconded by the following vote: yeas 105, nays 96.

Mr. Marshall moved a call of the house, and asked the yeas and nays upon that motion. They were taken and stood as follows: yeas 119, nays 85.

The house being called, 216 members answered to their names; when on motion of Mr. Mann, of N. Y. the call was suspended: yeas 129, nays 85.

The previous question was then stated, viz: shall the main question now be put?

Mr. Adams inquired as to the effect of the vote, viz: whether it would not deprive Mr. Letcher of the benefit of an application of the same principles to the poll of Mr. Moore, which had this day been applied to Mr. Letcher's poll?

The speaker replied that, according to his own opinion, if the question should be decided in one way, it would; and, if in the other, it would not; but this was not strictly a question of order.

Mr. Adams was repeatedly called to order; but, having obtained the reply of the speaker, said he was now satisfied.

Mr. Hardin moved that the house adjourn, and demanded the yeas and nays on the motion. They were taken, and resulted as follows: yeas 59, nays 152.

After various other proceedings on points of order, &c.,

The previous question was then put, and decided as follows, yeas 108, nays 112.

So the house decided that the main question be not now put; the effect of which is, to put aside the whole question to another day.

And then the house at 9 o'clock, P. M. adjourned.

**Wednesday, June 11.** Mr. Gillet reported a bill to provide for the seizure and sale of property brought into the United States in violation of the revenue laws—twice read and committed.

The joint resolution providing for the distribution of the fifth census was read a third time and passed.

Mr. Havnegan submitted a resolution inquiring into the propriety of granting certain sections of land to the state of Indiana, to aid that state in the construction of a rail road.

The resolution calling for information relative to the longitude and latitude of several places in the vicinity of the northern boundary of the states of Ohio, Indiana and Illinois, was taken up and agreed to.

The house then again proceeded to the consideration of the Kentucky contested election.

Mr. McKay moved a resolution to commit the report of the committee of elections to a committee of the whole, with instructions to bring in a report declaring the election void, and referring it back to the people of the district.

Which motion, at the suggestion of the chair, was modified so as to commit the whole subject.

After an animated debate of great length, the motion of Mr. McKay prevailed by a vote of yeas 113, nays 109.

After an unsuccessful motion by Mr. McKay, that the house resolve itself into a committee of the whole to consider the resolution, the house adjourned.

**Thursday, June 12.** Various reports, &c. on private cases, being attended to;

The house, in committee of the whole, took up the case of the Kentucky contested election.

Mr. McKay then moved the following resolutions:

*Resolved*, That neither *Thomas P. Moore* or *Robert P. Letcher* be permitted to take a seat in this house as the representative for the 5th congressional district of the state of Kentucky, and that said seat is now vacant.

*Resolved*, That the speaker of this house do notify the governor of Kentucky that said seat is vacant.

Mr. Wilde objected to the phraseology of this resolution.

Mr. McKay maintained that it was substantially in conformity to the instructions of the house.

Mr. Sutherland proposed the following, so as to be strictly in the terms of the original instructions:

*Resolved*, That there be a new election for a member of this house from the 5th congressional district in Kentucky—it being impracticable for this house to determine with any certainty, who is the rightful representative of said district.

Mr. McKay then withdrew the resolutions proposed by him.

The resolution proposed by Mr. Sutherland was then agreed to; and thereupon the committee rose, and reported the same to the house for their concurrence.

Mr. Clayton, of Geo. with a view that a true statement of the polls as canvassed by the house should go to the electors of the district, prepared a preamble to the resolution, in which he shewed, after making all the additions and subtractions as ordered by the decisions of the house, that Mr. Letcher had a majority of 11 legal votes over Mr. Moore.

The speaker intimated that the proposition could only be received as a substitute for the resolution reported.

Mr. Mardis objected to it altogether.

On the suggestion of Mr. Wilde, Mr. Clayton substituted the following—

*Resolved*, That Robert P. Letcher is entitled to a seat in this house, as a representative from the 5th congressional district of Kentucky.

Which, after debate, was negatived: yeas 112, nays 114.

The question then being on concurring with the report of the committee of the whole, which declares neither entitled to a seat, sending the election back, &c.

Mr. Clayton renewed his original amendment, as a preamble to the report.

This led to an angry debate of considerable length; and the proposition of Mr. C. was, finally, rejected, yeas 72, nays 137. Whereupon, the original resolution as reported by the committee of the whole, was then adopted, yeas 114, nays 103.

The house adjourned.

#### MR. SPEAKER BELL'S ADDRESS,

*On taking the chair of the house.*

*Gentlemen of the house of representatives:*

With the greatest sincerity I declare to you, that, although I am duly and gratefully impressed by this mark of the partiality and confidence of the house, and am by no means insensible to the distinction intended to be conferred upon me, yet I am not without some distrust of the wisdom of my course in accepting the station which your choice has assigned me. Without the slightest experience in the chair, it may be justly apprehended that your selection of a presiding officer has been but too much influenced by personal kindness and friendship; and I shall be

quite happy if the public interests shall suffer no detriment through a defective administration of the duties of the chair. In ordinary times, and under ordinary circumstances, I could flatter myself that, by diligent application, I might be able, in a short time, to supply the want of experience; and to justify, in some degree, the confidence indicated by the house. That more than usual embarrassments must be encountered, at this moment, by any incumbent of the chair, will be admitted by all.

The impudence, not to say irritation—the natural result of a protracted session—the excitement growing out of those sharp conflicts of opinion, upon questions of public policy; conflicts exasperated and embittered, at the present moment, in an extraordinary degree; all present themselves to increase the difficulties and call forth the exertions of a new and unpractised incumbent of the chair; and I feel, gentlemen, that whatever exertions may be made on my part, must be vain without your forbearance; nay, that they must fail altogether, without your cordial support and co-operation. When I reflect how great are the interests connected with this house; its character and action—interests, not of a day or of a party, but of all time; of posterity; and of all the parties which are, or ever will be, arrayed against each other; and when I further reflect how much the character and action of this house depends upon a skillful, firm and impartial administration of the duties of the chair, I confess I feel the deepest solicitude.

It is not so generally understood, I regret to believe, as it should be, in how great a degree, the measures of a legislative assembly are modified and influenced by the manner of its deliberation. All will concede that, if it shall ever happen that this body shall fall into disrepute, and fail to command the respect and confidence of the people, our institutions will be in the greatest peril. Not only the character of this house, the wisdom and efficiency of its action, but the existence of our admirable frame of polity itself, may be said to depend, in some degree, upon the order and dignity of the deliberations of this house.

While, then, I treat the indulgence of the house to my own defects, I earnestly invoke the assistance of every member of it, in endeavoring to maintain and preserve, so far as depends upon the proceedings of this body, those great and primary interests of constitutional government and freedom, in support of which, I am sure, whatever difference of opinion there may be upon points of construction, of policy or administration, there is not a heart here, nor an American heart any where, that does not beat high.

#### REMARKS OF MR. CLAYTON, OF DELAWARE,

*On presenting the Cherokee memorial to the senate.*

Mr. Clayton presented a memorial of the Cherokee nation, signed by their principal chief and other delegates, complaining that, notwithstanding the faith of treaties, the obligations of the laws, and the solemn decision of the supreme court of the United States in their favor, the president of the United States had not only refused to protect them against the oppressions of the state of Georgia, but is exerting his power on the side of their oppressors, and co-operating with them in the work of destruction. They represent that, under these laws and treaties, in times past, they were protected by the executive power of the United States; that, happy under the parental guardianship of this government, they applied themselves assiduously and successfully to learn the lessons of civilization and peace, which, in the prosecution of a humane and Christian policy, the United States caused to be taught to them; that while protection was extended to them against cupidity, they could, with pride and satisfaction, and with grateful hearts to their instructors, point us to the houses they had built, the improvements they had made, the fields they were cultivating, and shew, by their domestic establishments, how, from wandering in the forests, many of them had become the heads of families, with fixed habitations, each the centre of a domestic circle, like that which forms the happiness of civilized man. They say that human knowledge and letters had been introduced amongst them, and that the highest of all knowledge had come to bless them, teaching them to know and to worship the Christian's God, bowing down to Him at the same seasons, and in the same spirit, with the millions of his creatures who inhabit Christendom, and with them embracing the hopes and promises of the gospel. But now they represent that each of these blessings has been made to them an instrument of the keenest torture; that cupidity has fastened its eye upon their lands and their homes, and is seeking, by force and by every variety of oppression and wrong, to expel them from their firesides, and to tear them from all that has become endeared to them. They say, that, to give a detail of their sufferings, would make a history.

The memorial further complains that the annuities secured by treaty for the Cherokees, has been virtually withheld, in consequence of the executive construction of the laws, and it asks of congress redress for this grievance, by directing that those annuities shall be paid according to the provision of the treaty and the expressed wishes of the Cherokee people. On this subject, said Mr. C. I forbear all comment at this time. My business with it now is to cause the proper disposition to be made of the paper. It is accompanied by numerous documents, shewing the whole correspondence of these delegates of this dependent people, now seeking our protection, with the chief executive and the department of war. I move that it be printed, and referred to the committee on Indian affairs.

The motion was agreed to.



## REMARKS OF MR. NAUDAIN

Upon the motion to print and refer the proceedings of the "Jackson republican delegates, of New Castle county," presented to the senate, on Wednesday last, by the vice president.

Mr. Naudain said, that the citizens of New Castle county, speaking for themselves, by their memorial signed by a majority of all the legal voters of that county, appeared a few weeks since before the senate, declaring their opinion that the distress which pervaded the country, and which seemed to be still increasing, was occasioned by the removal of the public deposits from the bank of the United States; that, to effect this removal, the president had violated the laws and disregarded the constitution of the country; and praying congress to cause the deposits to be restored, and the bank to be rechartered, as, in their opinion, the only effectual means of relief.

Now, sir, said Mr. N. we have the proceedings of a meeting of delegates appointed by primary assemblies of the people, in the several hundreds of that county; presented to the senate through its presiding officer; setting forth, as they say, "the views and opinions of the democracy of New Castle county," and approving of all the acts of the executive. Before I proceed to notice the resolutions themselves, I will say a word or two about the manner in which this same meeting of delegates was got up.

First, sir, a paper was circulated for signature, purporting to be a call for all those approving the conduct of the president, to meet in general county meeting, and express their views and sentiments. But when this paper was passed round, so many of the former supporters of the president refused to sign it, that it became obvious such a meeting must be an entire failure, and expose their impotent attempt to scorn and derision. The plan of operations was then changed. Circulars were sent round to the faithful, in the respective hundreds, to call a meeting in each hundred, and send five delegates from each to a county convention, to express their opinions about the present state of the affairs of the county.

The Jackson party, sir, have hitherto polled something upwards of 1,600 votes in that county. But with all this effort to parade and organize their force, these primary meetings were miserable failures. In the two southern hundreds of the county, containing about 600 voters, and where the strength of parties was nearly equal, but 25 persons attended these calls, as I have been informed by most respectable authority. And even in the city of Wilmington, with all the advantage of a night meeting and drumming up for their forces, they could bring but about forty or fifty to rally round their standard. And these delegates, thus appointed by a handful of the people of the county; nearly, if not quite one-half of them too, old, thorough, uncompromising, proscriptive federalists, have undertaken to express "the views and opinions of the democracy of New Castle county."

Sir, if they had professed to express, what their proceedings do express, the sentiments of the Jacksonism of the county, I should not have thought it my duty to trespass upon the time and patience of the senate, in endeavoring to expose the pretences by which they are attempting to practise upon their fellow citizens.

Mr. President, I have been a citizen of New Castle county more than fifteen years. I was brought up in the school of democracy. I have been honored with the confidence and support of that portion of my fellow citizens, in days that are past, when the old party lines were strongly drawn. I was thrice nominated by the democratic state convention for a seat in the other house of congress, and received the support of that party in opposition to that distinguished federalist, the present secretary of state, whose brother I see is now among the chosen organs of the "democracy of New Castle county."

Sir, it is well known that political contests in the state, which I have the honor, in part, to represent on this floor, were always fought on the old distinctions of democracy and federalism, until the year 1827. Then the spirit of Jacksonism swept over our little state and overturned our old party divisions; and our citizens, as they have done every where else, ranged themselves under new banners. And now, sir, after they have pulled down the good old democratic flag, torn it in pieces, and scattered its fragments to every wind—after associating themselves with the most uncompromising federalists within the state—with one half of this very meeting, made up of the bitterest of the opponents of democracy—men who had spent their political lives in reviling it, and the great founder of the party, Mr. Jefferson; with men among them, too, who not long since declared that "if they thought they had one drop of democratic blood in their veins, they would have it out at the risk of life!"—such men, Mr. President, so elected, and so constituted, are talking about "the views and opinions of the democracy of New Castle county!!!"

What do such men know of democracy? They have always represented democracy as the opinions of disorganizers and jacobines; as a political heresy, most dangerous to the stability of the government and the liberties of the people. Some of these were the black cockade men of '99, the advocates of alien and sedition laws, and all the other abuses of power which thrust the old federal party from office. These have always been high prerogative men; upholders of the executive in all assumptions of power; stern opposers of all reform of abuses in the government; and yet, sir, these men pretend to talk about "the views and opinions of democracy!"

[After some other remarks, which do not seem necessary to our present purposes, Mr. Naudain concluded as follows:—]

I again repeat, sir, that if this meeting had professed merely to represent the views and opinions of the Jackson party of New Castle, I should not have trespassed upon the time of the senate. But when such men have professed to represent the views and opinions of the good old democracy of New Castle, I felt that the duty I owed to that party with whom it was always my pride and pleasure to act, compelled me to break that silence I have hitherto imposed upon myself since I have had the honor to be a member of this body.

## Remarks by the editor.

Any statement made by Mr. Naudain needs not my endorsement; but as my much valued friend alludes to, or speaks of, things with which I am well acquainted, an opportunity is presented to make a few remarks on the use of the old terms "democrats" and "federalists"—the former being applied by the friends of the administration to themselves, and the latter to their political opponents.

In early life, soon in 1797, when I [the editor of the REGISTER] was less than 20 years old, to 1805, when I removed to Baltimore, it was my fortune to have had much to do in the politics of Delaware, and to hold a personal acquaintance with nearly every prominent "democrat" in that state. The present senator Naudain was then rather young to enter the arena—but several of his family were among the most faithful and zealous disciples of what is now called the "school of '98," whose footsteps I know that he followed from the time when he reached his majority to the year 1827, or until new organizations of parties took place in Delaware, and the old democrats and old federalists—divided amongst themselves, were mixed together, without reference to former opinions.

I neither claim a particular merit for having belonged to the "school" just named—nor will admit it as a demerit in others who resisted the doctrines taught in it—for experience, aided by reflection, has long since convinced me, that great mistakes were committed on both sides—and that the principle which influenced the great body of either party was patriotic, and not so discordant as the leading men of both induced their respective parties to believe—that the people might be kept separated: which, perhaps, is well in many cases, as being auxiliary to a wise and just administration of their affairs, "vigilance being the condition on which liberty is granted." But the old party names were kept up in Delaware, and in Maryland, long after they had ceased to have a distinctive meaning, unless as to what men HAD BEEN.

The present use of the old terms, by the friends of the present administration, however, is well calculated to make me smile. In the hats of the present secretaries of state, treasury and war,\* I am nearly certain that I have many times seen the "black cockade" of old "federalism," though one of them, at the time of wearing it, had hardly arrived at manhood; and have long since understood that the head of another of the great departments, at Washington, also wore the said party emblem. And, to call these distinguished gentlemen "democrats," and such men as Henry Clay, Samuel L. Southard, Sammel Bell and Arnold Naudain, and other senators, "federalists," is the "cap-sheaf" of political injustice or political folly. And in Pennsylvania, that great "democratic" state, Mr. Wilkins, one of her senators, and Mr. Buchanan, late minister to Russia, though decided and leading federalists, when federalism meant something, are rewarded "democrats"—while such staunch old democrats as Jonathan Roberts and Abner Looock, formerly senators from that state, are proscribed "federalists." I might easily run over, an hundred cases of the same kind, but the labor would be altogether useless. I shall return to Delaware, and state a circumstance, once mentioned before, which may throw some light on Mr. Naudain's remarks.

I was the junior member of the first regular democratic meeting, or "convention," that, as I believe, was ever held in Delaware, with a general view to an organization of

\*Messrs. McLane and Toney are well known as having been, respectively, the leaders of the federal party, in their own states; and Mr. Cass is the son of maj. Cass, who superintended the recruiting service for the "provision eating army," as we "democrats" used to call it, at Wilmington, Del. for a considerable time.

the party; and, until I left the state, had the honor of being assailed as one of five persons whom the "federalists" called the "caucus junto"—myself being, for some years past, the only survivor. The meeting above alluded to consisted of sixty or seventy persons—and I often laugh at a recollection of the secrecy with which it was convened, and at the difficulties encountered in obtaining a chairman and secretary, willing that their names should go before the people—for the majority and the power of the state was against us, and many were loath to take a front rank in the opposition proposed, but which was soon rendered successful in the elections of col. *Hull*, of the revolutionary army, as governor of the state, and of Mr. *C. A. Rodney*, as its representative in congress, in the place of his beloved personal friend, that eminent man, the late Mr. *Bayard*—and these named have also passed "to another and a better world!" But, six members of that first regular democratic meeting yet live—and five of these are not of the political friends of the present administration, and they also opposed the election of gen. JACKSON in 1824, 1828 and 1832. The sixth is a worthy old gentleman, and I much wish that he held a better office than he has been favored with.

On what principle is it that these old names are applied to present parties? Is it in the personal support or opposition to general Jackson, as president of the United States? Certainly not! It is believed that only one of his present cabinet was of his original supporters, and that one because he was offended at what he thought Mr. *Adams'* abandonment of "federalism!" The vice president, and all the gentlemen called the "Albany regency," opposed the election of Mr. *Madison*, the "democratic candidate," in 1812, and that of gen. *Jackson* in 1824, with all their power. In the latter year, "*Miss* Jackson's pretensions" were laughed at by the "republican party" of New York, of whose movements I had a near view—being, by accident, present at the extra session of the legislature of that state in the year just given, and closely observant of all the proceedings and twistings had in it, especially in the senate of the state, to FORCE Mr. *Crawford*, (then regarded as the bitter enemy of general *Jackson*), into the presidential chair, through the aid of party discipline. And if we look over the names of the congressional caucus, held Feb. 14, 1824, what do we discover? Sixty-six persons were present, and two proxies were admitted—and, in this exclusively "democratic" assembly, Mr. *Crawford* had 64 votes, Mr. *Adams* 2, gen. *Jackson* 1, and Mr. *Macon* 1. It is not ascertained who threw away the four votes, but undoubted, I believe, that the first rate "democrats" of the present day, such as Mr. *Van Buren*, secretary of state, minister and vice president of the United States—Mr. *Cambreling*, of the house of representatives—Mr. *Chandler*, collector at Portland—Mr. *Dickerson*, late senator from New Jersey, and recently appointed minister to Russia—Mr. *Lowrie*, secretary of the senate—Mr. *Smith*, late senator from Maryland—Mr. *Lloyd*, ditto, and late "Jackson" candidate for governor of the state—Mr. *P. Barbour*, now district judge in Virginia—Mr. *Rives*, late minister to France—Mr. *Stevenson*, late speaker, and recently nominated minister to England—Mr. *Forsyth*, present senator—Mr. *Samuelson*, commissioner under the treaty with France—Mr. *Thompson*, Indian agent, all voted against gen. Jackson, and supported Mr. *Crawford* as the "democratic" candidate.†

\*Deceased since this article was prepared.

†I shall add the names of all those who attended the caucus of 1824—several more of whom may have been "rewarded," as friends of general Jackson, than I can call up to recollection. A place was given to Mr. *Markley*, in the custom house at Philadelphia, but it was taken from him. A considerable number are deceased—there are still members of congress, Messrs. *Barber*, of Conn.—*Archer*, of Va. and *Williams*, of N. C. Of the present political feelings of others, I only know that Messrs. *Holmes*, of Me. *J. Barbour* and *Floyd*, of Va. and *Ruggles*, of O. are opposed to the administration—but there may be others. List of the congressional caucus, held in the hall of the house of representatives at Washington, February 14, 1824—in addition to which Mr. *Ball* of Va. and Mr. *Tannall*, of Georgia, voted by proxy:

John Chandler, John Holmes, of Maine; James Lanman, Noyes Barber, Ebenezer Stoddard, of Connecticut; Samuel Eddy, of Rhode Island; Martin Van Buren, C. C. Cambreling, Lot Clark, Elia Collins, Rowland Day, Justin Dwinell, Lewis Eaton, Charles A. Foote, Joel Frost, John Herkimer, James L.

On the other hand, RICHARD M. JOHNSON, JOHN H. FATON, GEORGE KREMEN, SAMUEL HOUSTON, Joel R. Poinsett, I. C. Isaacs, and others, on behalf of their states, denounced the call of the caucus as "inexpedient," &c. and, of the 216 "democratic" members then in congress, only 68 appeared in, or supported its proceedings—as may be found fully recorded in the volumes of this work, especially the 25th and 26th.

And how stood the case in "democratic" Virginia, at that time? Not one member of the "Richmond junto" was the friend of gen. Jackson. Nay, they all abused him, or treated his claims to the presidency with utter contempt; and at the election about three times as many votes were given to Mr. *Crawford* as were given to the general, who received considerably less than Mr. *Adams!* And even in 1828, it is well known that general Jackson was taken up with great reluctance, "as the alternative, not the choice of Virginia." Was it "federalism" that caused this reluctance? But what is the state of things now? If all are "democrats" who support, and "federalists" who oppose, the present administration, surely Virginia has become a federal state—and so have several others that had a high rank in democracy! Nay, even a majority of the representatives in congress from "democratic" Pennsylvania, are federalists.

We refer to these facts on account of the abuse of the political terms mentioned. The inconsistency and folly of them is manifest. Any party may elect a name for itself—but, in some cases, it may be illiberal, if not unjust, to give a name to its opponent.

On points of principle the "democratic" party does not agree—as the following comparisons will shew:

From the *Richmond Whig*.

With a view of counteracting the effects of his letter in 1817, the friends of general Jackson have hunted up a letter of his in 1801, addressed to Dr. *Diekison*, then a candidate for congress, in the state of Tennessee: Let us place his doctrines, side by side:

In 1801.  
"Believing, as I do, that any citizen, who does obtain the suffrage of the freemen of Tennessee, must be a character, the composition of which is virtuous, talents, and the TRUE WHIG PRINCIPLES SEVENTY-SIX: in short, sir, that he must be a republican, and in politics, like *Cæsar's* wife, not only chaste, but UNSUSPECTED."

In 1817.  
"In every selection, party and party feelings should be avoided. Now is the time to exterminate that monster, called party spirit. Only selecting characters most conspicuous for their probity, virtue, capacity and firmness, WITHOUT ANY REGARD TO PARTY, &c." [Letter to Mr. *Monroe*.

And the *Hartford "Independent Press"* gives us the following:

From the *Richmond Enquirer*.

We contend that the custody and control of the public moneys, not appropriated by law, are by the constitution placed under the order and direction of congress; and that they may intrust its custody to other agency than the executive department; and that they may take out of the hands of the executive the custody of it, without an assumption of executive power.

From the *Cincinnati Advertiser*.

Can he believe that any man, of common sense, who has studied the constitution and the duties of that executive officer created by it, will contend that the custody of the public property, whether public moneys, public ships, public timber, public iron, lead or any other species of property, is not vested in the president of the United States, the chief executive officer created by the constitution for that, among other purposes.

Like cases might be multiplied without number. The time was, when it required no spirit of prophecy to fore-

Hogebom, Lemuel Jenkins, Elisha Litchfield, John Richards, Jacob Tyson, Egbert Ten Eyck, of New York; Mahlon Dickerson, of New Jersey; Walter Lowrie, Walter Forward, Philip S. Markley, of Pennsylvania; Samuel Smith, Edward Lloyd, William Hayward, jun. of Maryland; James Barbour, Mark Alexander, William S. Archer, Philip P. Barbour, Burwell Bassett, John Floyd, James Leitch, William C. Rives, William McCoy, Arthur Smith, William Smith, Alexander Smyth, Andrew Stevenson, George Tucker, of Virginia; Jared Williams, H. C. Barton, W. N. Edwards, Alfred M. Gutlin, Thomas H. Hall, Charles Hooks, John Long, Romulus N. Saunders, Richard D. Spaight, Lewis Williams, of N. Carolina; Joseph Gist, John Wilson, of South Carolina; John Elliott, Nicholas Ware, Joel Abbott, George Cary, Thomas W. Cobb, Alfred Cuthbert, John Forsyth, Wiley Thompson, of Georgia; Benjamin Ruggles, of Ohio; Jas. Noble, of Indiana; Jesse B. Thomas, of Illinois.

Mr. *McLane*, of Delaware, and Mr. *Buchanan*, of Pennsylvania, were members of congress at the time of holding this caucus, but neither could have entered it, if so disposed, being then regarded "federalists."

see, that, if members of congress were appointed to office, "corruption would become the order of the day;" and when the interference of public officers at elections, was as the "unpardonable sin" against the people, &c.

And, exactly "dove-tailing" with the thoughts of my heart, when first reading Mr. Naudain's remarks, I met with the following, from the "democratic" pen of Mr. Ritchie, republished in the "Richmond Whig" of the 30th ult.

REMINISCENCES.

An unknown friend has transmitted a whole column, cut from the Enquirer of May 18th, 1824, just ten years ago, with an implied request for its republication. Having a little extra room from the failure of the mails, and as old newspapers are sometimes more amusing than new ones, we comply by inserting the whole.

Messrs. Lowrie and Jackson.\*

"If there were a man in this nation, who would not 'turn on his heel to save his life,' we supposed gen. Jackson was that man. Fiery, we knew him to be—impetuous, domineering, ungovernable, he has long appeared to us—but withal, bold, independent, direct in all his courses; one who would not flatter Neptune for his trident. What then is our astonishment, to see him resorting to the shifting, temporising, quibbling and equivocating expedients which he has recently pursued! We are deeply disappointed in his course—and we are deeply mistaken in the man.

"Had gen. Jackson been the man that we supposed, what course would he have taken, when the report about his letters first broke out in Pennsylvania? He might have looked down with scorn upon those reports. He might have acted with the manly independence of William H. Crawford, and left his enemies to work out their worst against him. He might have kept himself aloof from the presidential election; and left it to the people to select the man, whom they deemed best calculated to fill their own high office. Or, if he chose to mingle in the strife; if he thought it expedient to notice the reports which were circulated about him, he would have come out with no partial statements, but with the whole truth. He would have divulged every thing; faced every consequence; defied every enemy. Did he take this course? He authorised an editor of Philadelphia to deny that his letter contained a recommendation to the president to bring into his cabinet two federalists and two republicans. Why did he not go farther? When he knew the substantial charge against him in Pennsylvania was, that he was disposed to employ the federalists, and that he was not that sound "democrat" which he had been cried up to be, why did he suppress that portion of his letter which, he must have seen, would have supported the charge? Why not boldly come out, and announce to the citizens of Pennsylvania: that he did not advise the cabinet to be equally poised. I did not wish to see two federalists and two republicans in power—so far, the report is not strictly correct; but I did not advise your president to amalgamate the parties, and select his officers 'without regard to party?' Why did he shrink from this frank and manly mode of proceeding?

"When recently he found that Mr. Lowrie was tearing away the veil which covered his correspondence—that the public voice began loudly to call for the original papers, why does gen. Jackson design to quibble about it—to shelter himself under miserable forms, and overlook the very essence of things? Was this the course which became gen. Jackson? the man, whom a grateful country had hailed as the first of her heroes? Was this consistent with the spirit of the man, who boasts that he has 'no disposition either to disguise or to suppress his sentiments'—that his 'opinions and sentiments, such as they have been spoken or written at any time, each and every one are at all times welcome to?'

"It may be yet necessary for the people to avail themselves farther of his frankness. Perhaps they may desire to see the presidential bureau ransacked for farther dispatches from gen. Jackson. In this way they may have a better insight into his temper—of his political principles they cannot ask for more. He has given us his own credit; and if the democrats of Pennsylvania like it, why let them take it with its author into their affections.

"As to Mr. Lowrie, he had fearful odds to encounter. His veracity was attacked—and he had at once to contend with the declarations of the president, of gen. Jackson, and of his own colleague. The facts have at last come out; and they mainly support his proposition. Throughout the whole of this mysterious and complicated affair, he has conducted himself with a discretion and a dignity, which command our respect."

But, after all, we suppose that the terms objected to will still be used—*ad captandum*; and that persons who would have felt themselves personally insulted if called "democrats" a few years ago, will have no repugnance to cast upon others, with scorn, their own late beloved appellation of "federalists." But, *quant. suf.*

\*The "Lowrie affair," as it was called, and the correspondence on the subject of Mr. Hay, Mr. Kremer, gen. Jackson, &c. with the letter to Mr. Monroe referred to, may all be found in the 26th volume of the REGISTER. A reference to it will present some curious facts to patent "democrats." Ed. REG.

THE GENERAL POST OFFICE.

From the National Intelligencer of June 10.

In the senate, yesterday, Mr. Ewing (of Ohio) from the committee on the post office, made the long looked for report on the affairs of that establishment. It was read at the secretary's table, and the reading of it, which we listened to with great attention, occupied more than two hours.

Of a document of such great length, we shall not venture to give, from the mere hearing, any thing like an analysis. Deferring the full satisfaction of our readers in this particular, until we can publish the report at large, (which shall be as soon as practicable), we must content ourselves, for to-day, with an attempt to sketch its general complexion.

The report sets out with stating, as the result of the investigations by the committee, that the department is largely insolvent. In addition to which, the committee report that the postmaster general has, from time to time, borrowed large sums of money for the use of the post office, without any authority of law. Some of these loans, it is stated, were made during the last session of congress, at the commencement of which the postmaster general had reported the department to be in possession of a considerable surplus of funds. The report goes on to state the debts and credits of the department, as nearly as can be ascertained, whereby it appears that the general post office is insolvent by eight hundred and three thousand six hundred and twenty-five dollars beyond all its resources.

Comparing the expenses of the post office establishment for four years preceding the commencement of the present administration, with the four years following them, it is stated by the committee that the expense of the last four years exceeded that of the preceding four years, by three millions three hundred and thirty-eight thousand dollars. Within the last term of four years, it is true, some few mail routes have been established; but their aggregate expense bears but a very small proportion to the amount of the excess thus ascertained. This excess of expenditure, and consequent insolvency of the post office, is mainly attributed to mal-administration and favoritism in the making of contracts and extra allowances, of which the report goes on to spread out in detail a number of particular cases, as a sample of the whole.

The report declares the reports, statements, and estimates of the officers of the post office to be so erroneous and defective as little to be relied upon; so little, that unfavorable as are the conclusions which the committee arrives at, it is more probable that they fall far short of, rather than exceed the reality. In proof of which, among other circumstances, it is stated that in the number of miles in a year travelled by the mails, as detailed in the annual report of the postmaster general, there is, by accurate computation, error to the amount of no less than seven millions two hundred thousand miles. The report points out also many discrepancies between the statements in the *Blue Book* (thus designating the biennial report of official expenses made to congress), and official and other statements, as to the amounts of contracts, extra allowances and contingent expenses, showing great inaccuracy and confusion in the accounts and administration of the department.

The report also condemns the practice, which is proved to have prevailed, of pledging the department for loans obtained by contractors, and in turn making use of the names of contractors to obtain money for the use of the department. In connection with which, the committee allude to certain money transactions between contractors and individuals in office in the department, which have come out in evidence before the committee, and which they particularise, but submit without comment to the senate.

The contingent expenditures of the department, the allowances of money to travelling agents, the payment of money to printers in various shapes, the employment of printers as contractors, &c. and other matters which "bring the patronage of the government in conflict with the freedom of election," are handled with great force and some severity by the committee; and the report ends with a series of resolutions declaratory of errors, abuses and defects, mostly imputable to the administration of the post office, but in part also inherent in the system itself, which, in the opinion of the committee, have increased, are increasing, and ought to be diminished.

Upon the whole, it will be allowed on all hands, when the report of the committee comes to be read, that it affords in itself the best explanation of the term, "a searching operation in the government?" that has yet been made.

We add, in fairness, from an exposition in the "Globe," some paragraphs having a direct reference to the facts stated in the preceding. The parts which relate to individuals named, as none are so given in the article taken from the "National Intelligencer?" are, of course, omitted.

This report [the counter report of Messrs. Grundy and Robinson] accounts satisfactorily for the deficit in the finances of the department. It shows that the yearly income was deficient before the present incumbent came into office—that a diminution of its funds had commenced more than a year before—and that they had declined, at the time of his taken possession of the department, about \$100,000; and that the falling off continued from its beginning, in 1827, or early in 1828, to the close of the last year. It shows that the debt of the department beyond its available means, is about \$300,000, which debt rests on the credit of the department, and not of the treasury—that the post-

master general, by an illusory system which had ever prevailed of accounting for the expenses of the department, had not known its real condition in time to prevent the embarrassment; but so soon as the cause was disclosed, the corrective was applied. It shows the improvements which the present postmaster general has made in his system of accountability, and the security of the funds of the department.

It also recommends a more perfect organization of the department, by sub-officers holding the appointment from the executive and senate, as in other departments; and assigns as the reason why this has not been done at an earlier day, that the department was small in its beginning, and that the rapidity of its growth has gone before the proper action of congress, but that action could be no longer delayed.

The counter report of Messrs. Grundy and Robinson shows satisfactorily, that when a contract is made different from what has been stated to congress, in the annual report of contract, it is occasioned by a change made in service required subsequent to the acceptance of the proposal, and that it is a difference which the ancient practice of the department was always liable to exhibit and which was often actually exhibited under the former administration of the department; but that the present postmaster general has recently corrected it.

It shows that under the present administration, there is a system introduced into the department, of keeping books in which all the mail routes are entered in numerical order, with the number of miles in the length of each route, the names of the several post offices on it, the distance from one to another; the manner in which the mail is transported on each route, and the number of trips in a day, a week or a year. From these books, the exact length of post roads is ascertained to have been, in 1832, 104,467 miles—in 1833, it is ascertained to have been 119,916 miles—showing that the law of 1832, establishing new post routes, added 15,449 miles to the length of post roads, more than one-seventh part of all the post roads in the U. States, prior to that time. From these books it is also ascertained, that the annual transportation of the mail in 1832, was 24,633,330. This is a little more than what the postmaster general reported at that time; and the incorrectness, of the statement of the majority, is clearly demonstrated.

[The other parts of the exposition in the "Globe" relate to the cases of the rev. Mr. Brown, a clerk in the department, to Mr. Reese, a contractor, and to certain matters stated as to the expenses for printing.]

#### REPORT ON THE PUBLIC LANDS.

[PRESENTED BY MR. CLAY.]

In the senate of the United States—May 2, 1834.

The committee on the public lands, in which was referred the message of the president of the 4th December, 1833, returning with his objections, the bill which had originated in the senate, and had passed both houses of congress at the preceding session, entitled "an act to appropriate land for a limited time, the proceeds of the sales of the public lands of the U. States, and for granting land to certain states;" and to which has also been referred a new bill, with the same title, introduced into the senate at the present session of congress, has, according to order, had under consideration both the subjects thus referred to it, and beg leave now to

#### REPORT:

That the committee has examined and considered the message of the president with all the respect and attention due to a co-ordinate branch of the government, and being, after mature and deliberate consideration, unable to coincide with the president in all his reasoning and conclusions, the committee requests the indulgence of the senate in submitting the views and opinions which it entertains on the several matters presented or discussed by the president.

The committee, in the first place, must express its regret that a bill which had passed by the last congress should have been retained by the president until the commencement of the present. By the constitution, the president is invested with power to negative any bill which shall have passed both houses of congress; but this power, which was conferred not so much for legislative purposes as to enable the executive branch of government to protect itself against encroachments which might possibly be attempted upon its lawful authority, is limited and qualified by the express provisions of the constitution. According to these, when the president does negative a bill, he is required to return it, and, if it again pass each house by a majority of two-thirds, it becomes a law, notwithstanding the president's negative. By retaining this bill, and not returning it to the congress which passed it, the qualified veto of the president, was converted, in effect, into an absolute veto. Congress has lost all power over the bill; the last congress, having ceased to exist cannot act upon it; and the present congress cannot act upon it, because it did not pass it. By this retaining a bill, its passage into a law may be defeated by the president; although if he were to return it to the congress which passed it, with his objections, it might be again passed by a constitutional majority of two-thirds; and such the committee believes would have been the case if the bill in question had been returned by the president to the last congress.

The framers of the constitution, anticipating the possible attempts of a chief magistrate to defeat the passage of bills which had passed both houses of congress, by retaining them an indefinite length of time, prescribed a period within which they should be returned by him, or become laws without his approba-

tion. "If any bill," says the constitution "shall not be returned by the president within ten days, (Sundays excepted), after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the congress, by their adjournment, prevent its return, in which case it shall not be a law." If it should be argued that the bill in question, having been presented to the president on the 2d of March, 1833, and the session closing on the 3d of congress had, by its adjournment, prevented its return within the period limited by the constitution, two answers present themselves: 1st. It was not an adjournment but a dissolution of congress. The termination of the alternate, or, as it is usually called, the short session of congress, is fixed in the constitution. It is the end of the congress; it is on that day dissolved. The day never comes by surprise or unexpectedly, but is known at the commencement of the session, and through the whole progress of it. It cannot, therefore, be said, in the language of the constitution, that congress, by their adjournment, prevented the return of this bill. That provision of the constitution must be understood to refer to cases of adjournment depending upon the will of congress, and to have been designed to guard the president against the effects of a sudden and unforeseen adjournment ordered by congress itself. A consideration giving additional strength to this ground is derived from the fact of a change of the presidential incumbent. This bill was presented to the president the day before the expiration of his official term; and, constitutionally, he had no right to communicate this message to the senate. Suppose he had been succeeded by another, who would have had the right to the possession of the bill? Not the old president, because he was out of office; not the new, because he was not in office when the bill passed; and neither of them, therefore, could have returned it to the senate, with or without an accompanying message. On the 3d of March, 1817, the day of Mr. Madison's final retirement from the office of president, the bill setting apart the bonus of the bank of the United States for internal improvements was presented to him. Although it was a highly important bill, involving a grave and much controverted constitutional question, short as the time was for a due consideration of it, he examined and returned it with his objections, probably, among other reasons, because he knew that his successor could not act upon it.

2. This bill had passed at a previous session of the senate, (1832-3) in the shape in which, with one modification, it was presented to the president. Copies of the bill prior to its passage, at both sessions, had been laid before the president. He had treated the subject and demonstrated his possession of a knowledge of the bill in his message at the opening of the session in December, 1832. When, therefore, the bill was presented to him for his approbation on the second of March, 1833, he must have been familiar with it.

The committee, therefore, thinks that, under all the circumstances of the case, the bill ought to have been returned to the last congress. By withholding it, the president deprived that congress of its constitutional right, to reconsider the bill, and determine whether it ought not to pass, after giving due weight to his objections.

Passing from this view of the subject, which the committee thought it proper to present in respect to the constitutional rights of the legislative and executive branches of the government, it will now proceed to consider more particularly the specific objections to the bill contained in the president's message. The president "is fully sensible of the importance, as it respects both the harmony and union of the states, of making as soon as circumstances will allow of it, a proper and final disposition of the whole subject of the public lands." This bill, however, he thinks does not effect that object; it contemplates an arrangement which is not permanent but limited to five years only; allows of alterations within that time by congress; and furnishes no adequate security against the continual agitation of the subject.

It is difficult to conceive of any plan, other than that of a total abandonment and surrender of the whole public domain, which would preclude occasional legislation by congress in respect to it. Such a relinquishment the president indeed ultimately proposes; but the committee believes that neither the interests of the union would be promoted by, nor are the opinions of the people prepared for, a surrender, immediate or remote, of the vast public domain of the United States, because of any inconvenience, real or imaginary, resulting from the occasional legislation of congress. The president objects to the temporary character of the act; and, yet towards the close of his message, when he appeals to the people of the new states, and holds out the prospect of a reduction of the price, he says: "It is true the bill reserves to congress the power to reduce the prices, but the effect of its details, as now arranged, would probably be for ever to prevent its exercise." The committee is at a loss to comprehend how congress should be for ever restrained from reducing the price of the public lands by a temporary bill, the too brief period of whose existence, in the opinion of the president, constitutes a serious objection to its passage. Especially since, within the short period of five years to which it is limited, there is an express reservation of the right of congress at any time to reduce the price.

The bill proposes, upon just and equitable principles, to divide among the several states the proceeds of a property common to them all, for a period of 5 years. If its practical operation shall be found to realize the expectations which it holds out, it will be competent to congress to continue it, from time to

time, with or without the modifications. And it is only upon the presumption of its reconciling itself, by experience, to the public sense of justice and expediency, that the president, in the quotation made from his message as to one of its features, can anticipate its permanent operation.

The president next proceeds to trace historically the right of the United States to the public domain. This had been several times previously done by committees of the senate, and particularly by a committee which reported the bill on the 16th day of April, 1832, that first passed the senate for dividing among the several states the proceeds of the public lands. That report of the committee comprised a full exposition of the right of the United States to the public domain whether situated within the limits of the original thirteen states, or acquired by the treaties of Louisiana and Florida; and also of the principles on which it was proposed to divide the proceeds of the sales of the public lands among the states. And as your committee concurs in the leading facts and principles in that report, it begs leave to refer to it, to annex, and to make it a part of this report, to be published with it.

The senate will bear in mind that much the most extensive portion of the public domain was acquired by treaty. Over the disposition of the right of soil thus obtained, there is no control or limitation upon the powers of congress contained in the treaties themselves; and congress is entirely untrammelled by them as to any disposition of it which may be deemed expedient. But the argument contained in the message almost wholly excludes that larger part of the public domain, and is restricted to the consideration of the powers of congress in respect to that portion of it which is contained within the ancient limits of the United States.

After having deduced the title of the United States to that part of the public lands which seems principally to have engaged the president's attention, from the deeds of cession and other public acts and documents, the message comes to three conclusions:

"1. That one of the fundamental principles on which the confederation of the United States was originally based, was, that the waste land of the west within their limits should be the common property of the United States.

"2. That those lands were ceded to the United States by the states which claimed them, and the cessions were accepted, on the express condition that they should be disposed of for the common benefit of the states, according to their respective proportions in the general charge and expenditure, and for no other purpose whatsoever.

"3. That, in execution of these solemn compacts, the congress of the United States did, under the confederation, proceed to sell these lands, and put the avails into the common treasury; and, under the new constitution, did repeatedly pledge them for the payment of the public debt of the United States, by which pledge each state was expected to profit in proportion to the general charge to be made upon it for that object.

"These are the first principles of this whole subject, which, I think, cannot be contested by any one who examines the proceedings of the revolutionary congress, the cessions of the several states, and the acts of congress under the new constitution. Keeping them deeply impressed upon the mind, let us proceed to examine how far the objects of the cessions have been completed, and see whether those compacts are not still obligatory upon the United States.

"The debt for which these lands were pledged by congress may be considered as paid, and they are consequently released from that lien."

It is perfectly true that the waste land of the west was an object of great interest and solicitude with several of the states, and especially the state of Maryland, during the revolutionary struggle; that they contended that what might be won by common sufferings, sacrifices and exertions, ought to be common property, and that the states within whose limits those lands were situated, yielding to the voice of reason and justice, and actuated by a noble spirit of union and harmony, finally made the various cessions which have been referred to by the message. These cessions constituted the United States a trustee for the whole of them in the management and disposal of the common property. It ought to be regarded as a sacred and inviolable trust; and all the considerations growing out of these lands, which threatened to distract the councils, and to paralyze the efforts of the original states, even in the midst of the war of independence, ought still to be allowed to have their full force in dissuading congress from making any alienation of this common property which will not do justice to every member of the union.

The committee, therefore, concurs entirely with the message in the position that these lands were ceded, and that the cessions were accepted, on the condition that they should be disposed of for the common benefit of the states, according to their respective proportions in the general charge and expenditure, and for no other purpose whatever. It also agrees with the message that, both under the articles of the confederation, and under the present constitution, the avails of the proceeds of the sales of the public lands have generally gone into the public treasury; that they have been pledged to the payment of the public debt; and that the public debt may be considered as now paid, and the lands consequently liberated from the lien.

But the committee cannot agree with the message that the power of congress over all the public lands remains under the present constitution exactly the same as it was under the articles of confederation. As to those which have been acquired

by treaties with foreign powers, the authority of congress to dispose of them is unaffected by the articles of confederation, or the deeds of cession, and depends upon the third section of the fourth article of the constitution. And as to the residue, the states that executed the deeds of cession being also parties to the constitution, and having adopted it as separate and distinct communities, were competent to extend the powers of congress, the common trustee for all the states, over the trust property which had been previously conveyed, if they thought proper.

By the articles of confederation, contributions were made by the several states of specific sums, apportioned among them to the purposes of the general government. And the clause, in several of the deeds of cession, which provides that the ceded lands shall be for the use and benefit of the states composing the union, according to their usual respective proportions in the general charge and expenditure, clearly refers to those contributions which furnished a distinct and intelligible rule by which the proportion of each state in the general charge and expenditure could be ascertained. By the new government, contributions were no longer to be made by the states; but the treasury was to be supplied by taxes, direct and indirect, levied upon the mass of the community. The taxes which have been accordingly levied, have been chiefly upon consumption; so that it is impracticable to ascertain what amount is now in fact contributed by the people of each state towards the expenditure of the general government. And as the amount of contributions cannot be ascertained, it is impossible to say whether each of the states composing the union does derive benefit from the public lands in proportion to its charge in the general expenditure. And it is far from being certain that, in the actual appropriation which has been made of the proceeds of the public lands, there has not been a constant departure from the rule prescribed in the deeds of cession.

There may be ground for difference of opinion whether the change of government in the particular which has been noticed, induced the framers of the constitution to enlarge the power of congress, and whether they have, in fact, enlarged it over the public lands which had been previously ceded by some of the states. But, as to all other territory and property of the United States, congress possesses ample power to regulate and dispose of it. It is expressly provided by article IV. section 3d: "The congress shall have power to dispose of, and make all needful rules and regulations respecting the territory and other property of the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States or any particular state."

This power to dispose of all the public domain, except that ceded by the states is full and complete, and depends upon the sound discretion of congress. The practice of the government demonstrates, indeed, the common belief, that the power of congress to dispose of all the public land, whether ceded by states or acquired from foreign nations, is unrestricted. Grants have been accordingly made of portions of it for almost every conceivable purpose. More than eight millions and a half of acres have been granted for education; upwards of two millions for internal improvements in particular states; several for military bounties; and large quantities have been bestowed, in gratuity, for seats of government, on private charities in particular states, and on private individuals. The right of pre-emption has been also conferred and continued to large classes of individuals.

The president himself was supposed to entertain the opinion that there was no restriction on the power of congress over any part of the public domain. In his message of December 4, 1832, at the opening of the session of congress, speaking of the public land, he says: "It is in the discretion of congress to dispose of them in such way as best to conduce to the quiet, harmony and general interest of the American people."

After this clear admission of the unqualified power of congress over the subject, the committee has seen with surprise the assertion in the message that the bill begins with an entire subversion of every one of the compacts by which the United States became possessed of their western domain. The first section of the bill allows to the seven new states 12½ per cent. out of the net amount of the sales of the public lands made within their respective limits prior to any distribution among the twenty-four states. The message treats this allowance to the new states as a deduction of one-eighth from the whole amount of the proceeds of the public lands in all parts of the United States; but the allowance is expressly confined to sales within the new states, to the exclusion of sales made in the several territories, that is, Ohio, and each of the other seven states, is by the provision of the first section to receive twelve and a half per cent. upon the net amount arising from sales within their respective limits.

This extra allowance is deemed by the president to be contrary to the terms of the deeds of cession. In what respect he does not allege, but it is presumed that he refers to the stipulation contained in those deeds for a perfect equality among the several states. As each state was to be entitled to equal benefit in the lands ceded, subject only to the condition that it should be according to its usual proportion in the general charge and expenditure, the message considers that rule to be violated by assigning to the new states twelve and a half per cent. prior to the general distribution. The president is supposed to insist upon absolute equality among the old and the new states; and that no one of them should obtain more than a fair and just proportion of a common property.

But how are these principles to be reconciled with the plan brought forward by the president in his message of the 4th of December, 1833, and again presented in his message under consideration? According to that plan, he recommends that the public lands be no longer regarded as a source of revenue; that the price be reduced so low as merely to reimburse the expense of the survey and the sale of them; and that, at no very distant day, the whole of the unsold lands should be relinquished to the new states, and all the machinery and control of the general government forever withdrawn from the new states.

If congress may grant the whole of the public lands to the new states, it may certainly grant one eighth part of them, or one-eighth part of their proceeds, unless the logical rule be false that the major includes the minor. If it be consistent with the terms of the deeds of cession, so emphatically dwelt on by the president, to surrender forever the public lands to the new states, within which they are respectively situated, it can hardly be deemed repugnant to the same deeds to assign to them, for a short period, one-eighth part of the net proceeds of the lands situated within their limits.

The message seems to consider the extra allowance to the new states as involving a new principle un sanctioned by the practice of the government, and as a gratuity which cannot be granted without manifest departure from the principles of equity which should regulate the disposal of the public lands or their proceeds among all the states. But with great deference the committee is unable to agree with the message in either respect.

1. As to the practice of the government. It has been already stated that congress has granted to the new states, for purposes of education, upwards of eight millions of acres of the public lands; being a quantity which exceeds by more than a fourth, all the public lands ever sold by the federal government. It has also granted to several states lands for seats of government, and to some of the new states upwards of two millions and a quarter of acres for internal improvements. And by the compact with each of the new states, five per cent. of the net proceeds of the sales of the public lands, within their several limits, is reserved to every one of them for purposes of internal improvement. If these various grants, displaying both the liberality and the justice of congress towards the young members of the national family who have established themselves in the wilderness, do not violate the deeds of cession, or transcend the duties of congress, how can it be justly contended that the extra allowance in question is forbidden?

2. But this extra allowance is not a gratuity. The apportionment of the proceeds among the several states is on the basis of the state of the population as ascertained by the census of 1830; and the bill proposes to observe that rule in the distribution during the whole period of five years to which its operation is limited. But as the increase of population in the new states is in a ratio much greater than in the old, it is evident that a strict compliance with that rule would operate unjustly upon the new states, especially in the latter years of the term. The increase of population in Illinois, for example, is at the rate of eighteen and a half per cent. per annum. Near five years having elapsed since the census was taken, the population of that state is now about 92½ per cent. that is, almost double what it then was. The population of the state of Delaware, on the contrary, has increased only about three per cent. during the same five years; the ratio of its increase from 1820 to 1830 having been, for the whole ten years, only six per cent. The state of Illinois, therefore, would receive only about one-half of what it is justly entitled to if it were restricted to the state of its population in 1830.

Again; the extra allowance to the new states is to be expended on education and internal improvements. The United States being a great land proprietor in each of the new states, is bound, upon principles of equity and fairness, to contribute towards the improvement of the moral and physical condition of the new states, which will necessarily tend to enhance the value of the property of the United States. And, in making the extra allowance, the bill proceeds in perfect conformity with the principles by which the general government has hitherto invariably acted in granting to each of the new states lands for schools, and five per cent. of the net proceeds of sales within their respective limits for objects of internal improvement.

The committee therefore must confidently, but respectfully, dissent from the assertion in the message that, in making this extra allowance, the bill begins with an entire subversion of every one of the compacts by which the United States became possessed of their western domain.

The bill is charged by the message with a violation of the deeds of cession, in adopting, as the rule of distribution, the federal representative population, instead of the respective and usual proportions of the several states in the general charge and expenditure. The rule which the bill adopts is plain, practicable, and intelligible. It admits of easy ascertainment and easy application. Taxation and representation go hand in hand; and, in assuming a rule deduced from representation, there is no reason to believe that it will operate unequally in respect to the taxation to which the people of the United States are liable.

A division among the states according to their respective and usual proportions in the general charge and expenditure is wholly impracticable, because it is not possible to ascertain under the present constitution, and under the established modes of collecting a public revenue, what amount of the general charge and expenditure is contributed by any state. That clause in the deeds

of cession, as before remarked, was inserted in reference to the articles of confederation, by which the contribution of each state was fixed and known. Revenue is now collected, not from states in their sovereign character, but from the mass of the community, according to their consumption. Consequently, it is altogether impracticable to ascertain how much of that revenue is paid by the citizens of any one state. It may be argued that since it is impracticable, it is most proper that the proceeds of the public lands should go into the common treasury, and be thence disbursed in the common expenditure. But it is far from being certain that the principle of equality stipulated in the cessions, is not violated to a greater extent by such an appropriation than it possibly can be by a division according to representative population. How is it known that each state when the proceeds of the lands pass into the general treasury, is, in their subsequent disbursements, benefited according to the exact measure of its due proportion in the general charge and expenditure?

In considering the power of congress over the public lands acquired by deeds of cession from several of the states, the committee thinks it useful to examine, first, the terms of the deeds themselves; and, secondly, the provision in the constitution.

1. As the cession from Virginia was by far the most important, and as the terms of the deed made by that state to the U. States do not materially vary from those contained in the deeds of other states, the committee will inquire whether there is any thing in those terms which can be fairly interpreted to prohibit the passage of the bill. The only clause deemed essential in the inquiry is the following condition contained in the deed, to wit: "That all the lands within the territory so ceded to the U. States, and not reserved for, or appropriated to, any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the U. States as have become, or shall become, members of the confederation, or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatsoever."

This deed created a trust in the U. States which they are not at liberty to violate. But the deed does not require that the fund should be disbursed in the payment of the expenses of the general government. It makes no such provision in express terms, nor is such a duty on the part of the trustee fairly deducible from the language of the deed. On the contrary, the language of the deed seems to contemplate a separate use and enjoyment of the fund by the states individually, rather than a preservation of it for common expenditure. The fund itself is to be a common fund for the use and benefit of such of the U. States as have become, or shall become members of the confederation or federal alliance, Virginia inclusive. The grant is not for the benefit of the confederation, but for that of the several states which compose the confederation. The fund is to be under the management of the confederation collectively, and is so far a common fund; but it is to be managed for the use and benefit of the states individually, and is so far a separate fund under a joint management. Whilst there was a debt existing, created by the war of the revolution, and by a subsequent war, there was a fitness in applying the proceeds of a common fund to the discharge of a common debt, which reconciled all; but that debt being now discharged, and the general government no longer standing in need of the fund, there is evident propriety in a division of it among those for whose use and benefit it was originally designed, and whose wants require it. And the committee cannot conceive how this appropriation of it, upon principles of equality and justice among the several states, can be regarded as contrary to either the letter or spirit of the deed.

A fund may be common to various copartners in the collection, control and government of it, and yet the use and actual enjoyment may be separate and individual. Entertaining this view, the committee thinks it would be a departure from the obligations of the trust to cede, as the message proposes, the whole trust-property to particular states, to the exclusion of others. The committee, on the contrary, thinks it the duty of congress to retain the control of the fund, and to administer it for the use and benefit of the several states composing the union.

2. But if any doubt existed as to the right of congress, under the deeds of cession, to divide the proceeds of the common property among the several states, it must vanish when we consider the provisions of the constitution. The parties to the constitution were the same as the parties to the deeds. And the adoption of the constitution was as much the separate act of each state as was the execution of the several deeds of cession. The constitution, too, followed the execution of the deed by Virginia, and that of every other state but one; and if there be any incompatibility between them, the constitution, being in point of time the last act, must control the operation of the previous deeds.

The language of the constitution is explicit: "The congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claim of the United States; or of any particular state." The power to dispose of the territory and other property of the United States is confided to the sound discretion of congress without restriction. To guard against

the effect of the change of government from a loose confederacy to an intimate union, it is declared in the latter part of the cited clause; that nothing in the constitution shall be so construed as to prejudice any claims of the United States. And, as the states which ceded the western lands, had ceded them with certain reservations, and they or other states might have claims of a territorial, jurisdictional or pecuniary nature, under the confederacy, which it was apprehended, without an express reservation, might be affected by the change of government, it was further declared that nothing in the constitution should be so construed as to prejudice any claims of any particular state.

Whether, therefore, the authority of congress is traced to the deeds of cession or to the constitution, the committee deems it fully competent to the passage of the bill.

The bill is equally unfortunate in being obnoxious to the objections of the message whether it omits or imposes any restrictions upon the powers of the state legislatures as to the subsequent appropriation of the fund which it proposes to distribute. The extra allowance to the new states is required to be expended on objects of education and internal improvement. As has been already shown, this restriction is in conformity with a principle coeval with the land system, and which has been steadily adhered to throughout the whole period of its existence, by which the sixteenth section of every township is expressly set apart for education; and in conformity with every compact entered into between the United States and each of the new states, by which five per cent. upon the net proceeds of the lands in the several new states is assigned for purposes of internal improvement. The committee thinks that it may safely rest the defence of the specification of the objects to which the extra allowance is to be applied upon the invariable practice of the government.

But if the part of the bill which limits the legislatures of the new states in the appropriation of the extra allowance to the laudable purposes of education and internal improvement, could not conciliate the approbation of the president, it might have been reasonably hoped that the other part of it, containing no restriction whatever upon the local legislation, would have at least commanded his assent. But he objects to the restrictive clauses because they are restrictive, and to the unrestricted clauses because they are unrestricted. The president apprehends that the Maysville and Lexington turnpike road company, the appropriation to which several years ago did not meet his concurrence, might possibly derive some aid from the land fund, if the legislature of the state in which that road is situated were left unrestrained in the application of its proportion of that fund. There are some who would feel that if any part of the fund were directed to such a destination it would only be to repair a wrong unintentionally committed by the president. But the appropriation to that object to which the president applied the veto, rested upon grounds totally distinct from the principle of the present bill. That appropriation was made upon the principle that congress had the power to apply any money in the public treasury to internal improvements. This bill is based on the ground that congress has broader power over the land fund, either under the deeds of cession, or under the constitution, than it possesses over public revenue collected by general taxation.

The objection to the distribution among the states, upon principles of equality, of the proceeds of the public lands, was hardly to be anticipated from a chief magistrate who had recommended such a distribution of the surplus revenues of the general government, without regard to the source of their origin. The committee is not prepared to assent to such a distribution, the constitutionality of which, to say the least, is questionable. But a division of the land fund, if not enjoined by the spirit of the various deeds of cession, stands upon peculiar ground, totally distinct from that on which a division of a surplus of revenue, arising from ordinary sources of taxation, can be placed.

The message imputes to the bill the object of creating a surplus for the purpose of distribution. But is that an accurate representation of the case? The bill finds in full operation a land system, approved by long experience, which nets to the government an annual sum of more than three millions of dollars. This sum may be expected constantly to augment. The general government, just liberated from national debt, no longer stands in need of this sum, unless it should become necessary by wasteful and extravagant expenditure. The general government is in possession of ample resources of revenue, and in the exclusive possession of that, the most ample of all, arising from foreign imports. The states want the land fund, and it is proposed to divide it among them according to the just and equitable rule of federal representative population. The bill imposes no new tax, creates no new revenue, opens no new channel. It proceeds upon an existing state of things, which it does not disturb, otherwise than by dividing among the states equitably, in their individual character, what is not wanted in their aggregate condition.

But the message objects that the general government would remain subject to the incidental expenses of the machinery of the land system. The bill, however, only proposes to divide the net produce of the public lands which come into the treasury, subject, of course, to a deduction for some charges. If the general government should continue to pay out of the common treasury a portion of those charges, such as the salaries of the commissioner of the land office, &c. it would be no more than what is done in analogous cases. The salaries of com-

missioners appointed under treaties with foreign powers to distribute sums stipulated to be paid by them to individual claimants for wrongs committed upon the high seas or elsewhere, are always paid out of the public treasury. And, besides, the small amount which the general government would continue to pay during the period to which the countenance of the act is limited, for the benefit of the people of the several states, would come out of a common treasury supplied by the same people in their collective character.

The committee perceives, with unaffected surprise, the imputation contained in the message, of a tendency in the bill under consideration towards consolidation. Congress being the common trustee for all the states of a fund created for their benefit, and for no other purpose, the bill presents an equitable scheme for the division of that fund among the declared objects of the trust. If that scheme had been assailed upon the ground of its fostering a spirit of separation and disunion, there would have been at least more plausibility in the charge. The message supposes that the states, by receiving their several annual dividends, will be tempted into profuse expenditure, will rely for their pecuniary resources upon the general government, and will ultimately lose their distinct local characters. But it is to be observed that in the distribution itself, the states, as such, in their separate and sovereign characters, are expressly recognized; and that the sum, although considerable if expended on suitable and proper objects, is not likely to dispense with the necessity of each state carefully cultivating ordinary sources of revenue. It may be safely affirmed there is much greater danger of a wasteful expenditure of the fund if retained in the hands of the general government, which does not want it, than if it be transferred to the hands of the several state governments, which do need it, and whose habitual economy is commended in the message. It was never deemed by any one that the annual supply of arms made by the general government to the several states tended to lessen their power, or to augment that of the federal government.

The committee believes that a mutual dependence of the two systems of government upon each other has the happy effect of strengthening the bond of common union. And, among the many considerations in favor of the bill, it is perhaps the most important, that its direct and inevitable influence will be to impart additional strength to the union. The public lands will then form an adamant chain connecting the states together, and each will be powerfully interested in the preservation of that union which, for hundreds of years to come, may annually distribute among all its sovereign members a vast fund, which, if the union were dissolved, would be for ever lost in the commotions and convulsions that would certainly ensue.

The message implies an unmerited distrust in the capacity and integrity of the state governments, and assumes for the federal authority a superiority of discretion, which the committee thinks, without meaning any thing derogatory, it has not always displayed in the economical disbursement of public revenue. The bill is, besides, limited to a short time; and if it should be found to realise any of the apprehended mischiefs, it may be suffered to expire altogether, or be subjected to such modifications as experience shall indicate to be expedient. To guard against the possibility of a misapplication of the distributive share of any state to objects of a minor or trivial nature, the bill contains a clause which was left out of that passed at the last session, by which a specification is made of the purposes to which the fund shall be appropriated. No state will venture to violate this restriction, because it will apprehend that congress may refuse to continue to allot its dividend in consequence of such violation.

Almost the entire argument of the message against the bill is applied to that portion of the public lands ceded by the several states to the United States, and situated within their original limits, and is founded upon the supposed repugnance of the provisions of the bill to the conditions contained in the deeds of cession. The committee cannot agree that any such repugnance in fact exists. On the contrary, it conceives that the contemplated distribution is conformable both to the spirit and letter of those conditions. But there is no pretence for alleging any want of power in congress to distribute the proceeds of that portion of the public lands which have been acquired by treaties with foreign powers. The treaties themselves impose no limitation as to the disposition of the soil itself, or the proceeds of the sale of it. And the constitutional provision which has been adverted to comes and covers these lands, and invests in congress an unrestrained power of disposition, according to its sound discretion.

The message states that the total expenditure, incident to the public domain, has been \$49,701,280; and the total receipt up to the 30th September, 1832, had been only \$38,386,624, from which the inference is drawn that the amount taken out of the treasury has not been replaced.—Why the 30th September, 1832, was selected by the message, the committee cannot conceive, unless it was for the purpose of recommending the relinquishment of the whole public domain as a useless and unprofitable burden, or for the purpose of holding on to it as a source of revenue until the treasury was reimbursed the sum which it had cost. If the president had called upon the commissioners of the land office for the returns of the proceeds of the public lands up to the 30th September, 1833, he would have discovered that their amount was \$48,398,571 34, according to a report of that officer laid before the senate—more than ten millions exceeding the amount stated in the message. This is independent

of 4,452,760 acres of land actually patented for services during the late war; of 2,290,937 acres granted for roads and canals in several states; of upwards of nine millions granted and set apart for schools, academies and universities, and of numerous other grants for various purposes. For the greater part, if not all of these appropriations of the public lands, they ought to be fairly credited.

The public domain, then, has more than redeemed the cost of its acquisition and management. But there is still another view of this subject that ought to be presented. The argument in the message is almost exclusively directed to that portion of it which is situated within the ancient limits of the United States; and it is from the terms of the deeds of cession that the message attempts to deduce a restriction upon the power of congress. There is no color for that restriction as it respects the territory acquired under the treaties of Louisiana and Florida. In regard to that, as already remarked, the power of congress to dispose of it, unrestrained by the treaties themselves, results entirely from the clause in the constitution which has been herein before referred to. As to the public lands within the ancient limits of the United States, if there be deducted from the \$49,701,280, the twenty millions which Louisiana and Florida cost, it will leave only \$29,701,280 chargeable to those lands—less indeed than that sum, for a portion of that expenditure of \$29,701,280 was on account of the public lands in Florida and Louisiana. The total amount which has been received, in money, from the lands comprehended within the original boundaries of the United States, according to the before mentioned report of the commissioner, is \$13,729,718 12, leaving those lands creditor by the sum of \$14,971,561 12, without including in the account any grants of land for objects just alluded to.

The message argues that the distribution proposed by the bill is unjust towards the old states, since it first sets apart one-eighth for the new states, and then divides seven-eighths only among all the states. Each of the old states therefore, the message contends, will receive its proportion of but seven-eighths instead of the amount of the whole proceeds. The committee believes that it has stated sufficient grounds of justification upon which that previous allowance to the new states is to be defended. But it was not prepared to find the same message dissuading the old states from agreeing to the distribution proposed on the allegation of partiality to the new states, and urging the new states to dissent from it also, because it was unjust towards them. If the bill gives the new states more than a fair proportion of a common fund, without sufficient considerations, that cannot be an objection both with the old and the new states. But whilst the message labors to prove that one class of states will receive too much, and another too little, instead of correcting the alleged injustice by proposing some equal division, it recommends that the class which it deems too partially favored shall eventually receive, and the injured class shall finally renounce for ever, the whole interest in the common property.

The message supposes that it could not have been contemplated by the deeds of cession, that the United States should continue, during a long period of time, to retain the right of soil to large tracts of land within the limits of new states. But the deeds do expressly provide that these lands shall be held for the common benefit of all the states, and for no other purpose; and they must continue so to be held, whether the time is long or short, unless congress is prepared openly to violate express conditions of the cessions. And why should they not be so held? What injury is done to the new states by the common government holding lands for the benefit of all within the limits of some?—Past experience has demonstrated none. If these lands were held up at exorbitant prices, and the settlement of the new states were retarded inappropriately, the case would be altered. But the price is extremely moderate, within the reach of every ordinarily provident person, and the new states are populating with unexampled rapidity, as is demonstrated in the report of the committee of manufactures, and the tables accompanying it, herein before referred to. If it were true that the minimum price of the public lands is too high for one portion of them, it is equally true that it is below the value of another portion of them. And it would be wrong to reduce the price of those which are already low enough, for the sake of those of inferior quality, which, perhaps, would not sell at any price. It might be expedient to discriminate, if it were practicable, as to the price of lands in different states. There are large bodies of poor pine sandy lands in the south western states, of which there is none in the north western states, that probably never will sell at the minimum price, if at any price. But a discrimination between the different states would be invidious, and is impracticable. And after all, no great mischief is done by not offering, at reduced prices, worthless lands, which nobody would be much disposed to buy at any price. In the state of Ohio, all the public lands have been sold but about five millions of acres. In the state of Illinois, more than nineteen-twentieths of the whole territory are believed to be arable land; and it will undoubtedly sell, without any reduction of price, in reasonable time, according to the demands of a growing population. Would it be right to reduce the price of this good farming land, because there happens to be in Alabama or Mississippi large tracts of pine barren which will possibly never sell at any price?

Nor does the fact of there being a large quantity of land remaining in the market, surveyed and unsold for a long time, au-

thorise the inference that it is unsold because the price is too high. It has not been sold because the government, by constantly bringing more and more land into the market, exposes an aggregate supply far exceeding the wants of the population, rapid as has been its increase in the new states. This will be manifest from one or two facts. The total amount of all the public lands which had been sold up to the 30th of September last, that is to say, during a period of about forty-five years, since the commencement of the present constitution, was only 31,028,436 acres and 87-100 of an acre. This, on an average during the entire term, is about 700,000 acres annually. The total quantity surveyed and unsold, according to the report of the commissioner, is 104,206,822 acres and 46-100 of an acre. To this there will be additions constantly made, as the Indian title shall be extinguished. If the progress of future sales were to be no greater than that of the past, it would require a period of more than 135 years to sell what is now actually in market, without including new districts that may be exposed. But as these sales depend upon the wants of the population, and as these are regulated by the increase of it, the probability is, that the quantity annually sold, in future, will be much greater than the annual average of that which was sold during the term above mentioned.—But making liberal allowances in this respect, many years must elapse before the quantity now actually in market is disposed of. The true policy of the government, in regulating the price of the public lands, seems to be to so fix it as, whilst the industrious poor may easily acquire a home, a spirit of inordinate speculation may be repressed. Both these objects are believed to be attained by the reasonable and moderate rate at which the government now offers the public domain.

Entertaining the views and opinions which have been herein exhibited, the committee finds itself unable to concur in the plan of disposing of the public lands, which the president proposes; and it agrees in the general principles of the bill which has been referred to it. A brief contrast between the two schemes will enable the senate better to judge of their respective merits.

The president conceives that the cessions of the public lands to the United States were upon the express conditions that they should be considered by the United States as a common fund for the use and benefit of all the sovereign members of the union. He objects therefore to the grant to the new states of one-eighth of the proceeds within their several limits, prior to a general distribution of the whole fund. Nevertheless, he proposes himself an immediate reduction of the price of the public lands; that they shall cease to be regarded as a source of revenue for the use and benefit of the United States, or any of the individual states; and, finally, that, after a few years this vast common property shall be wholly surrendered to those new states to which congress cannot, in his opinion, consistently with the terms of the deeds of cession, grant one-eighth part of the net proceeds.

The bill assumes, as a basis, that all the public lands not included within the acquisitions of Louisiana and Florida were obtained upon the conditions specified in the deeds of cession. It supposes that whether the proceeds of the lands are brought into the common treasury, or distributed, upon terms of just equality among the several states, the spirit and object of the deeds of cession are fully answered. The bill proceeds upon the principle that the United States cannot abandon the trust which the deeds created, and which they deliberately accepted, without a manifest violation of duty, and without absolute injustice to the old states. It does not propose, therefore, a surrender of the trust property to the new states, but contemplates the general government continuing to perform all the duties incident to the trust, and retaining the control over the property for the benefit of the several states, when the proceeds of sales of it are wanted by them, and not by the general government, and for the benefit of the general government in the event of war. And this mutual use of the fund is limited to a short period, to test, by experience, its expediency.—The bill assigns to the new states, prior to the general division of the fund which it authorises, one-eighth part of the proceeds arising within their respective limits, upon considerations which the committee deems satisfactory, and according to established precedents. And, finally, whatever diversity of opinion may exist as to the powers and duties of congress growing out of the language of the deeds of cession, no objection can be raised from that source as to any disposition, under the terms of the constitution, which congress may think proper to make of the proceeds of that largest portion of the public lands acquired under the treaties of Louisiana and Florida.

The bill provides for a distribution of the fund arising from the sales of the public lands during the last year. Such would have been its operation if the president had approved it; or if, returning it to the last congress with his objections, it had been passed notwithstanding those objections. As congress was deprived of an opportunity of passing upon the bill after it had been submitted to the president, by his withholding it, the committee thinks it just to give it the effect which it would have had if passed at the last session. The gross proceeds of the public lands during the last year are understood to be upwards of four and a half millions of dollars; but the precise amount will be ascertained when a call which has been made for it shall be answered. The committee therefore reports the bill, distributing that sum after proper deductions shall be made exhibiting the net amount.



The absolute necessity of inserting the long reports concerning the general post office, has led us to incur the expense of an extra half-sheet, that they may be speedily laid before our readers; and, as they will have both reports entire, at once, they will form a better judgment on the important facts presented or considered by the committee to whom the subject had been referred.

This extra half-sheet, for more convenient mechanical arrangement, is given as supplementary to the last REGISTER, and the matter "runs on" in the proper number for the week, without a "break."

The debates in the senate, which have sprung up in consequence of these reports, are exceedingly animated and unusually interesting—and, before they are closed, will probably call forth all the talent of that body—and especially when the question is before it as to making an appropriation to relieve the department from its bankruptcy.

POST OFFICE DEPARTMENT.  
REPORT OF THE MAJORITY.

Mr. Ewing from the committee of the post offices and post roads, made the following report.

The committee on the post office and post roads, in obedience to the resolution of the senate of the 29th March, A. D. 1834, proceeded to inquire into the condition of the post office department, and, having made progress in their investigation, now report—

That your committee, on an early day after they were invested with authority so to do, called for a statement of the available claims due from post masters and others to the department, and of the funds on hand, and also the amount of its debts. In answer to this inquiry, they were informed that it would be the work of several months, with all the disposable force of the department, to prepare the statement; the shortest time named as possible, extending much beyond the probable adjournment of congress. Statements, therefore, said to be accurate, were obtained wherever it was practicable; and, when such were not to be had, your committee received conjectural estimates, sworn to by the heads of the appropriate bureaux.

By these, it appears that the department is largely insolvent, and that since some time in the year 1832 the postmaster general has, without warrant of law, borrowed from the banks large sums of money on interest for the purpose of sustaining it. The interest account, exhibited herewith, shows that some of those loans were made during the last session of congress, and within a short time after the date of the annual report of the postmaster general, which states that there is an available surplus fund on hand of \$202,811 40, and which contains no intimation of any probable deficit, present or future. It is also worthy of remark, that his last annual report is wholly silent on the subject of these loans. But the postmaster general has, since the commencement of this investigation, represented to your committee that aid from the treasury is necessary to enable him to carry on the operations of the department, and he has stated that 450,000 dollars is the smallest sum that will serve that purpose.

The sums borrowed and overdrawn on banks to the 11th April, 1834, and then existing as a debt against the department, are stated by the officers to be \$488,600  
And they state the amount due to contractors on the 1st of April, 1834, at 635,000

Making the aggregate of its debts \$1,123,600  
They also state that there was on the 11th of April, 1834, a balance of deposits in banks in favor of the department of \$37,006 95½  
Of which there was deposited in banks which have failed 5,455 07

Leaving to the credit account, funds in bank, April 11th, 1834, available, \$31,545 88¼  
They also reported as a *conjectural estimate*, that there was due from postmasters for postages, accruing prior to January 1st, 1834, \$360,000.

The books from which this estimate was drawn have been examined by the committee, and the result of that examination leaves no doubt that the amount of this credit is greatly exaggerated.

It appears that the receipts of the department for the last quarter of the year 1833, according to the best estimate that can be formed, (the books and accounts not having been made up as they should have been), amounted to \$467,449  
That there was deposited by several postmasters in banks, during said quarter, for the use of the department 332,904

Leaving an apparent balance outstanding in the hands of postmasters, of \$134,545

But it is understood that considerable sums were received from postmasters, exclusive of the deposits in banks, which are estimated to reduce the amount in their hands for receipts, during the last quarter of 1833, to \$33,725; which sum, resulting from the several data to which we have access, is fixed upon

as the nearest approximation to the truth, attainable within the limited time, which it was in our power to devote to this part of the investigation. We believe, however, that any person acquainted with the books, and the course of business of the department, and whose attention should be exclusively devoted to the subject, could, in a little time, estimate the amount of debts due to the department, with a very near approach to accuracy; and that the officers of the department can, at any time within a few days, make an abstract statement of its fiscal concerns at the termination of any quarter, sufficiently accurate for the ordinary purposes of general information or legislation.

The officers of the department, also, estimated the amount due from postmasters for postages, accruing within the 1st quarter of the year 1834, at \$500,000

Your committee examined as far as practicable, the data upon which this estimate was made, and they have reason to believe that this sum is also much above the true amount.

It is estimated by the chief clerk of the department, that the net receipts for postages in the first quarter of 1833 will amount to \$520,000

Your committee have ascertained that there was deposited in banks for the use of the department within that quarter, and prior to the 1st day of April, \$314,704

Which will leave, of the receipts of that quarter, in the hands of postmasters, on that day, \$205,704

A considerable portion of this sum, probably, was received by the department in drafts on postmasters, but to what amount your committee have no means of ascertaining. They, therefore, take the above sum as the amount due for that quarter on the 1st of April, 1834.

This estimate of the sums due and outstanding, will still appear large, if we compare it with the amount of similar claims under a former administration; at a time, too, when the department was not involved in debt, and had no particular reasons to press its collections with peculiar urgency. It appears by the first report of the present postmaster general, made on the 24th of November, 1829, that on the 1st day of July of that year, the whole amount due and outstanding, in the hands of postmasters and others, was \$94,400 21; and we can see no good reason why the amount of balances should have been suffered to rise to \$289,429, much less to the enormous sum of \$500,000, as is estimated by the chief clerk, especially at a time when the department is insolvent, and borrowing from banks, and overdrawing its deposits daily, and even descending to ask the aid of individuals to sustain it in its most necessary functions.

But, admitting the sum estimated by your committee to be due from postmasters, the credits of the department will stand thus:

Amount of available debts for postages accruing within the quarter ending the 1st day of January, 1834, \$63,725  
Do. do. for postages accruing in the quarter ending the 1st day of April, 1834, 205,704  
Funds deposited in solvent banks 31,548

Making the aggregate of credits considered available, \$320,975

The amount of debts due on that day, as stated by the officers of the department, was \$1,123,600

Balance against the department on final settlement of all its accounts, would be, except old balances prior to the 1st of October, 1833, \$803,625

The above estimate of the sums due from the department, is taken entirely upon the credit of the officers of the bureau to which the superintendance of those accounts properly belong. They profess to have given them with all practicable accuracy, and your committee, having no particular reason to doubt their correctness, have not gone into an investigation to test them.

With respect to the credit and outstanding claims of the department, your committee could not place the same reliance on the general estimate presented to them. The amount was much larger than they had reason to suppose was correct from their knowledge of the general course of business in the department; and their investigation has satisfied them that the error was even larger than they at first anticipated, amounting, as has been already shown, to upwards of \$500,000.

Your committee have also made, and here present, an estimate of the revenue and expenditures of the department for the last quarter of the year 1833, by which it will be seen that, without some real and substantial reform in the management of its concerns, there is little prospect that it will extricate itself from the present embarrassments.

It appears, as stated above, that the receipts for postages in that quarter amounted to \$467,449

The transportation for the same quarter amounted to \$522,714  
Add incidental expenses to 27,935

Total expenditure, \$550,109

Excess of expenditure over the revenue \$82,660

Which continuing in the same ratio throughout the year, would be an annual deficit of \$346,640

An opinion was expressed by the immediate predecessor of the present postmaster general, in his report of November 13, 1827, that the department, by a vigilant administration of its affairs, would be able to supply all the wants of the community,

and in a few years to pay into the treasury an annual sum of \$500,000. This estimate seems to have been grounded upon the rapid increase of the receipts for postages, the improvement of roads and means of conveyance, and the great and increasing number of passengers in the stages, which add to the profits of the contractor, and thereby lessen the cost of transportation of the mail. And your committee entertain no doubt that, had its affairs been conducted prudently, with a view to the public interest, the participation would at this time have been realized; unless, indeed, it should have been thought expedient to reduce the postages, and thus relieve the community from a part of its present burden in the transaction of business, and the general diffusion of knowledge.

In order to present this subject more distinctly to the senate, your committee have taken, and here present, a comparative view of the revenue and expenditures of the department for the four first years preceding, and the four years next following, the time at which it was placed under the superintendence of the present postmaster general.

They find that, on the first July, 1825, there was a surplus fund of \$233,089 00

That on the 1st July, 1829, the surplus fund was, according to the statement of the former postmaster general, 289,140 17

But according to the statement of the present postmaster general, it was reduced to 220,489 00

Which, for the purpose of the present estimate merely, your committee assume to be correct. And on this supposition, the available funds of the department were diminished in four years, 52,600 00  
The receipts for postages during that four years, were 6,167 519 00

And the expenditures for the four years \$6,220,119 00

The amount of funds sunk by the department since it came under the superintendence of the present postmaster general, beyond the amount of its receipts, is

1st. The sum on hand, according to his statement on the 1st of July, 1829, \$230,489

Amount of debts on the 1st of April, 1834, over and above its available funds, 803,625

Aggregate, \$1,034,114

Four-fifths of that sum supposed to have been expended in the four first years of the present postmaster general \$827,271

And the aggregate revenues of the department for those four years, was \$8,731,032

Making the aggregate expenditures for the last named four years \$9,558,303

Excess of expenditures over the preceding four years, \$3,338,184

Within that time, some new mail routes were established, and some improvements were made in previously existing routes, but all these bear a very small proportion to the increase of expenditures. Possessing, therefore, as this department has done, those increased elements of prosperity and means of usefulness, it appeared obvious to your committee that there must have been mismanagement of its affairs, and a lavish expenditure of its funds, to reduce it in so short a time to its present insolvent condition, and to render necessary the appropriation of so large a sum as four hundred and fifty thousand dollars from the treasury to enable the postmaster general to redeem its credit, and carry on its essential operations.

And before determining whether they should recommend such appropriation, your committee thought it their duty to ascertain, as far as practicable, the accuracy of the several official statements which were made to them, as well as those which have from time to time been transmitted to congress touching the condition of the department; also, that they should investigate the cause of the sudden insolvency of this important department of the government, which has heretofore sustained itself from its own resources, which, in former years, actually contributed 1,103,063 dollars to the general revenues of the country, and which was, but a few years since, in a most flourishing and prosperous condition.

The prosecution of that inquiry was attended with much difficulty and embarrassment.

The annual reports of all contracts entered into by the department within the preceding year,\* have in two instances, been wholly omitted by the postmaster general, and, in a third, the report came in too late to be referred to by your committee, and to aid them in their investigation. No answer has yet been given by the secretary of the treasury to a resolution of the senate adopted on the 11th day of March last, on motion of one of your committee, which calls for copies of the duplicates of contracts, bids and extra allowances which the law requires should be filed in the office of the comptroller of the treasury. The duplicates of contracts and bids are said to have been consigned in the treasury building; and it was also communicated to us by the officer employed to answer the call, that no statement of

extra allowances had been filed there by the present postmaster general. And the report of the postmaster general, which accompanied the president's message at the opening of the present congress apprizes us that his prior reports, as to the liabilities and resources of the department, are erroneous. Thus the checks, few and ineffectual as they are, which the law imposes upon the transactions of the department, having been in a great measure disregarded, or rendered abortive, and no certain means being left us to determine the accuracy of the statements and reports issuing from it, except by causing calculations to be made in all cases where there were data to found them, and by comparing these reports with themselves, and with each other, your committee adopted this course; and thus they believe have been able to arrive at a conclusion very nearly correct, as to the general value of those reports and statements.

In order to account for the increase of expense in the transportation of the mail, the postmaster general has, in his several annual reports, presented us an enormous increase also of mail transportation. In his report accompanying the president's message of December, 1832, he states that the annual transportation of the mail on the 1st of July, 1829, was 13,700,000 miles; and in that accompanying the president's message, at the commencement of the present session of congress, he states that on the 1st day of July, 1833, it was 26,854,485 miles, making an increase of transportation from the 1st July, 1829, to the 1st July, 1833, of 13,154,485 miles.

From the knowledge which your committee possessed of the general situation and business of the department at those periods, it appeared to them that the statement carried the stamp of improbability upon its very face. They, therefore, for the purpose of ascertaining as nearly as possible the state of the matter, called on the officers of the department for the particular data on which they had founded their estimates, and asked also for the original paper showing the calculations; but they were told that those papers were all destroyed. Your committee having subpoenaed doctor Phineas Bradley to attend before them, and give evidence, placed in his hands the advertisements for mail contracts, and the book containing the statement of extra allowances, and gave directions that he should be furnished with all such information from the department as would enable him to make a full and fair estimate; and they instructed him to make out and report to them, under oath, a true statement of the amount of transportation, in miles, at the periods above mentioned. After he had proceeded very far with his estimates, and was nearly ready to make his report, your committee was informed, through their chairman, that the calculations from which the report of transportation for 1832, was made out, had been found, and that a copy could be furnished. It was accordingly furnished, but came too late for your committee to compare it with the actual routes and with the advertisements and books of the department. And it contains nothing of itself to enable us to determine on its correctness. It stands, therefore, on precisely the same ground with that of the annual reports above mentioned, and requires the same evidence to sustain it.

The report of doctor Bradley, in whose diligence, integrity and knowledge of the subject, we have the fullest reliance, is hereto attached, verified by his oath. It shows that the transportation of the mail, on the 1st of July, 1829, just after the department came under the superintendence of the present postmaster general, was 15,209,039 miles, being 1,509,039 miles more than it is stated in the annual report above referred to, and that the transportation on the 1st of July, 1833, was 21,156,844, instead of 26,854,485, being 5,697,651 miles less than the postmaster general has reported it.

Thus, by underrating the amount of transportation at the time he came into office, and exaggerating it since that time, the postmaster general has fallen into an error, as to the amount which he has increased the transportation of the mail, of no less than 7,206,690 miles.

Your committee, not having performed personally the labor of this part of the examination, cannot vouch for the accuracy of the above estimates, but they believe them to be nearly correct; and, if they err, that the error will be found to be approaching too near, rather than in departing too widely, from the statements in the official reports of the department.

The annual expenses of transporting the mail, under existing contracts, with all improvements, was, by the report of the postmaster general of the 30th Nov. 1833, set down at 2,033,289 42 The Blue Book of Sept. 1832, gives the aggregate of all mail contracts and extra allowance at 1,992,920 14

Making a difference of expenditure not accounted for, of \$40,368 28

This difference is wholly unexplained. No answer has yet been given to a call made by the senate, on the 11th day of March last, on a resolution offered by one of your committee, for a statement of the sums paid for transportation and extra allowances, if any, omitted in the Blue Book, which would have enabled them to present an explanation of the discrepancy; and we can perceive of no mode of accounting for it, consistent with the correct administration of the department, and a careful and accurate examination of the papers which issue from it, and under its official authority.

Your committee has also caused to be selected from the report (of extra allowances) made by the postmaster general to the senate on the 5th day of March last, all that have been there

\*Law of 1808, v. 2, p. 1,092.  
1825, vol. 3, p. 1,083, s. 10.

set down as subsisting allowances since the 29th day of June, 1833, which ought to include all that are embraced in the Blue Book.

Their aggregate, by that report, amounts to \$351,573 30  
 Their aggregate, by the Blue Book, is 377,947 66

Making a difference of 26,374 36  
 Thus the Blue Book gives an aggregate less than the annual report, of 40,369 02  
 And the report of March 3, 1834, less than the Blue Book 23,374 36

Error between the annual report and the report of March 3d, 1834 \$66,743 66

The postmaster general, in his annual report accompanying the president's message of Dec. 1st, 1832, states a surplus of available funds, after defraying all the expenses of the department down to the 1st of July, 1832, at \$202,811 40

In his report of Nov. 30, 1833, he says, that, instead of having had on hand that amount of available funds, the department was at that time really indebted beyond the whole amount of its resources, including its credits 2,844 40

Showing an admitted error in that report, of \$205,655 80

In descending to the items, and comparing one by one the contracts, as set forth and certified in one report of the postmaster general, with the same contracts as set forth in another of his reports, are discrepancies still more remarkable. Your committee have set forth a few of these instances by way of example.

The postmaster general, in his report of the 18th of April, 1832, (Doc. 212, p. 12), states that Stockton and Neill had contracted to carry the mail on routes Nos. 1,201, 1,302, 1,309 and 1,400; that is to say, from Cumberland to Wheeling, Washington to Frederick and from Frederick to Winchester, at \$7,000 per annum.

By the advertisements, these routes were to go into operation on the 1st of January, 1832.

In his report to the senate, of the 3d of March, 1834, (Doc. 138, p. 204), he states the same contract at 15,950 dollars per annum, exclusive of enormous extra allowances, which, as they do not relate to the branch of the subject now under consideration, we pass by for the present. The difference between the report of this contract in April, 1832, and March, 1834, is 8,950 dollars per annum, amounting, in the four years, the duration of the contract, to 35,800 dollars.

In his report of April 18, 1832, (Doc. 212, p. 17), he states that R. C. Stockton and William Neill are contractors to carry the mail on route No. 1,501, and others, including a large number of routes, principally in Ohio, at an annual compensation of \$30,000

In his report of March 3, 1834, (Doc. 138, p. 210), he states that Wm. Neill & Co. are contractors on the same routes, at an annual compensation of 50,410

Making a difference in favor of the contractor, per annum, of 20,410

During the contract, of 81,641

In his report of April 18, 1832, (Doc. 212, p. 4), he states that Reeside & Slaymaker are contractors for carrying the mail from Philadelphia to Pittsburgh, at an annual compensation of 7,000  
 From Pittsburgh to Washington 1,350

Making, in the aggregate 8,250

In his report of March 3, 1834, (Doc. 138, p. 199), he states the contract as from Philadelphia to Pittsburgh, from Pittsburgh to Washington, and from Washington to Wheeling, at an annual compensation of 27,070

Making a difference, per annum, of 19,750

And in four years, of 79,000

The line from Washington to Wheeling is included in the contract of Stockton and Neill, in the report of April, 1832, (Doc. 138, p. 204.) It is not mentioned as a part of the contract of Reeside and Slaymaker.

In his report (Doc. 212, p. 2), of the 18th of April, 1833, the postmaster general states that James Reeside is the contractor for carrying the mail from Philadelphia to New York daily, at an annual compensation of \$6,000

In his report (Doc. 138, p. 186) of March 3, 1834, he states the same contract as twice a day, and the compensation per annum at 20,500

Making a difference, per annum, of 14,500

And in four years, of \$58,000

These are but a few out of a numerous class of cases, many of which will be set out at large in a subsequent part of this report. From them your committee has been constrained to draw conclusions most unfavorable to the general accuracy of the department, and though all, or nearly all, of the cases which follow have been differently represented in different reports of the department, they are not selected with a special view to that circumstance. We detail them because they form parts of transactions with individuals, some, it is true, of small import-

ance, and others of great magnitude, but altogether involving almost every conceivable variety of abuse; some of them in direct violation of law, and some subversive of the common principles of justice and fair dealing between man and man.

The first case examined by your committee was a contract with General George House, of Gallipolis, in the State of Ohio, and the following is the transaction, somewhat in detail, as it appeared in evidence.

At the lettings (Doc. 117, p. 5), in October, 1830, route No. 1,975, from Colesmouth to Gallipolis, was taken by John Black at the yearly compensation of \$394, commencing on the 1st of January, 1831, and ending the 31st December, 1834.

On the files of the department, is a letter from House to the postmaster general, dated at Washington, January 28th, 1831, in which he proposes to carry the mail three times a week in a steamboat from Charleston, Kenhawa, to Gallipolis, at \$30 per mile, per annum, to commence as soon as his boat should be ready in the spring; and he adds, that his proposition is made in pursuance of a request or directions of the department made to Judge Hayward in December (then) last. The estimated distance sixty-four miles, equal to \$1,920 a year.

In a communication from O. B. Brown to the postmaster general, dated the 11th of February, 1831, he states the offer of George House at \$1,000 for carrying the mail twice a week in a steamboat on the same route, and that the steamboat will be ready "say the first of April;" he suggests that the contract with Black may be suspended, and asks "shall it be done?" The postmaster general endorses on the paper "let it be done;" and thereupon Black received orders to discontinue his route from the 1st of April, 1831. No contract appears to have been executed by House, and Black continued to carry the mail on horseback as his *sub contractor*. The effect of the whole transaction was to shift the contract out of the hands of Black, and place it in the hands of House, who is well known as an active and influential political partisan. A letter written by House to the postmaster general on the 3d of August, 1831, states that he had not yet got his steamboat prepared, and does not know when he shall, and it seems that he never did, for the mail is still carried on horseback on that route.

At the letting of contracts in October, 1831, route No. 1,588, from Chillicothe to Gallipolis, was bid off by A. L. Ross, at \$1,100 per annum, the mail to be carried three times a week in four-horse post coaches. His bid was accepted, and, in the report (Doc. 212, p. 20), of the 18th of April, 1832, he appears as the contractor.

On the 7th day of October, 1831, a letter was written by O. B. Brown to Ross, informing him that the acceptance of his bid was suspended, and that the department wished him to give it up, as it was important that the stage line from Chillicothe to Gallipolis, should be connected with the steamboat line from Gallipolis to Charleston: Ross reluctantly yielded to the requisition, and the mail upon that route was carried by House, for some time, but without any contract and without any *written and accepted offer*. There was exhibited to your committee a letter from House to O. B. Brown, without date or post mark, in which he says he has carried the mail from Chillicothe to Gallipolis, and from Gallipolis to Colesmouth, since the 1st of January, 1832, without any contract; and in this letter was enveloped and filed, a paper, also without date, containing a proposition by general House to carry the mail three times a week in four-horse post coaches from Chillicothe to Gallipolis, and three times a week from Gallipolis to Colesmouth, on horseback, for the yearly compensation of \$2,600. On the back of this paper is endorsed, in the handwriting of the postmaster general "allowed to take place from the 1st of January, 1832." All these papers, and the filing and entries upon them, are without date, and the officers of the department can give no account of the time of their execution. Some accidental writing in pencil on one of the papers does, however, lead to the conclusion that they are all of very recent origin, and the contract which was at last executed, pursuant to this proposition, appears by the jurat to have been executed on the 27th day of April, A. D. 1833.

Thus were there two contracts transferred from their legal owners, against whom there was no complaint, to gen. George House, at a clear loss to the department of \$1,206 a year, amounting in the four years to \$4,824, which sum is, in effect, a gift to that individual, made in violation of law, and under a succession of pretences, which had no foundation in fact.

By the act of the 15th day of June, 1832, a mail route was established from Chicago to Green Bay, in the territory of Michigan; but in the proposals published by the department on the 24th of July following, this route is not included, and no notice whatever was published by order of the department for proposals on that route. O. B. Brown, an officer in the department, who made out the list of proposals, being sworn, stated it as his belief, that the omission happened in consequence of the law establishing the post routes not having been published at the time he made out the advertisement, and that he took it from a copy of the bill which afterwards underwent alteration. It appears that the law was approved on the 15th day of June, 1832; the advertisement was signed by the postmaster general on the 24th of July following; and it further appears, that this route was upon the bill as it was first introduced into the house, and was never struck out, or underwent the slightest alteration, during its progress.

John T. Temple, then a clerk in the department, made out a bid in the name of Asahel Savery, of Michigan, by which he offered to transport the mail on horseback on that route once in

two weeks, for 3,000 dollars, or once a week for 3,500 dollars a year, which was accepted. There was afterwards a representation made by Asabel Savery, in the handwriting of John T. Temple, stating that the bid was too low, and that he would suffer very heavy loss by the contract. The distance is two hundred and fifty miles. The fair value of the service does not exceed 1,200 or 1,500 dollars.

The postmaster general, upon this representation, made an additional allowance of 1,000 dollars a year, and the contract was accordingly executed by Savery, and assigned to Temple.

In this manner Dr. Temple, by means of his situation in the department, obtained a contract giving him 4,500 dollars, for carrying the mail 250 miles on horseback weekly, for which service it is believed 1,500 dollars would be a very large compensation; much more indeed than the state of things would justify. The route is an unimportant one, the net amount of postage received upon it, after leaving Chicago to its termination at Green Bay inclusive, falls short of the one-tenth part of the sum given to Temple on this contract, which aggregate sum equals, it is believed, the net proceeds of postages received in the whole territory of Michigan.

Prior to the lettings in October, 1831, Lindsay and Sharffen were contractors for carrying the mail from Hagerstown to McConnellsburgh, and at those lettings they again bid to carry the mail three times a week, in four-horse post coaches, at 300 dollars, or daily at 600 dollars a year. James Reeside bid for the same at 40 or 99 dollars improved. The bid of Reeside was accepted, and he is set down, in the report of the postmaster general of the 18th of April, 1832, as the contractor, at 40 dollars a year. In the report of extra allowances of the 3d of March, 1834, no extra allowance on this contract is noted, but in that part of the same report which gives a statement of the retrenchments ordered, this route is noted thus (in page 253) "1,231, Hagerstown to McConnellsburgh, James Reeside four weekly trips, reduced 700 dollars. Not understanding precisely how 700 dollars could be deducted from 40 dollars, without first adding something to the lesser sum, a member of your committee, who happened to discover the discrepancy, gave to their clerk a written paper, stating the difficulty and requesting an explanation, and asking also for a copy of some papers, which it was supposed would show the true nature of this and one other transaction. There was much delay and prevarication before any distinct answer was given to the inquiry, and then the postmaster general declined answering it, because it was not signed by the chairman of the committee. This difficulty was removed. The chairman signed the paper, and some few days after, and after the arrival of James Reeside, the contractor, in the city, the postmaster general sent in his answer on the 15th day of May, 1834, which accompanies this report.

In this, he says, that after the contract was adjudged to Reeside on his bid of 40 dollars or 99 dollars improved, he was ordered to run daily, instead of tri-weekly, and the amount of compensation for increased service was left unsettled. The report goes on to state that Reeside represented to the postmaster general that there had been two mistakes in his bid; that he had made it out in pencil marks, and his clerk had blundered in copying it. That the 40 dollars was intended for 1,400, and the 99 dollars, which occurred twice, was intended for 1,999, and the postmaster general adds that O. B. Brown reported to him at another time these sayings of Reeside, and stated that there was no other bid on this route. Mr. Reeside was therefore allowed to correct his bid, making it 1,400 and 1,900, instead of 40 and 99. The report proceeds to say that Mr. Brown also was mistaken; that there were in fact several other bids, and that, as soon as this was made known to the postmaster general, he promptly informed the contractor that his contract should be reduced to the amount at which it would have been fixed had he known the other bids at the time it was arranged. The time at which this discovery was made, and the notice given not being named in the report of the postmaster general, your committee inquired of him on that subject, and he stated that it took place after he received the before mentioned informal inquiry from a member of the committee.

It is proper to add that other inquiries, informal as that when first presented had been theretofore amended without objection; and your committee cannot resist the conclusion that the hesitation at first manifested, and the refusal at last to answer, was merely for the purpose of gaining time, and waiting the arrival of the contractor (who had been subpoenaed by your committee) that a better countenance might be put upon it than its naked features exhibited.

James Reeside is also contractor for carrying the mail from Baltimore to Chambersburgh, 77 miles, daily, four horse post coaches, at 1,900 dollars a year, from the 1st of January, 1832. The schedule was so changed on the 29th December, 1832, as to lessen the time, and consequently, to increase the speed, but the difference was so light as to be wholly unnoticed by a sub-contractor on a part of the route, who was examined by your committee; and on the 18th of April, 1833, long after the change of the schedule, the contract is reported to congress (Doc. 212, p. 15), as subsisting at 1,900 dollars. In the report of the 3d of March, 1834, which professes to give all the extra allowances, there is none stated on this route, but in that part of that report which gives the curtailment of mail facilities, (Doc. 138, p. 253), the "increased expedition" is reduced to 1,395 dollars yearly; and, on examination of the books of the department, it appears that the contractor did in fact receive on that route 3,495 dol-

lars yearly, instead of 1,900 dollars; to which sum, and no more, he was entitled by fair and legal contract.

The increased expedition was of importance to the contractor, to enable him to compete with other rapid lines in the transportation of passengers, but it does not appear to have been of any considerable value to the public, and had it been of importance, the increased compensation is much too great for the additional service rendered.

It is stated in the report of the 18th of April, 1832, (Doc. 212, p. 2), that James Reeside is the contractor for the transportation of the mail on the route from Philadelphia to N. York, in four-horse post coaches, daily, at an annual compensation of 6,000 dollars, for four years from the 1st day of January, 1832.

By the report of the 3d of March, 1834, the contract is stated at twice a day, and the annual compensation (Doc. 138, p. 156), at \$20,500, He was allowed (p. 187), for extra services, a yearly compensation of 5,125

Increasing the compensation on this route from 6,000 dollars, the legal contract, to 25,625  
And an express mail was ordered to be run on the same route, at a yearly compensation of 3,150

Making the grand total, yearly 28,775  
In his report of the 18th of April, 1832, (Doc. 212, p. 131), the postmaster general states that James Clark is the contractor for carrying the mail from Bedford to Blair's Gap, and from Blair's Gap to Cumberland, once a week, on horseback, from the 1st Jan. 1832, to the 31st Dec. 1835, at a yearly compensation of \$275. In the report of 3d March, 1834, (Doc. 138, p. 198), James Reeside is reported to be the contractor for carrying the mail on these routes, (Nos. 1,215 and 1,230), from Cumberland to Blair's Gap, three times a week, in four horse post coaches, at an annual compensation of 4,500 00  
And on the 25th of February, 1833, he was directed to run daily between Bedford and Blair's Gap, at an additional compensation of 2,911 78

Thus the legal contract of 275 dollars has arisen to 7,411 78  
James Reeside and S. R. Slaymaker were contractors for carrying the mail from Philadelphia to Pittsburgh, for a yearly compensation of 7,000  
From Pittsburgh to Washington, Pennsylvania 1,250

Aggregate 8,250  
As by the report of the 18th of April, 1832, (Doc. 212, p. 4 and 11).

In the report of the 3d of March, 1834, (Doc. 138, p. 199), they are stated to be contractors for carrying the mail on the same routes, and, in addition thereto, from Washington to Wheeling, in Virginia, (which is also covered by the contract of Stockton and Neill), at an annual compensation of 27,000  
On the 5th of May, 1833, there was made on this route a yearly extra allowance from April 1, 1832, of 10,000  
And there was ordered an express mail on the same route, to be run by James Reeside, from Philadelphia to Pittsburgh, at a yearly allowance of 3,150

Increasing the compensation on this route from \$8,250, yearly, to \$40,150

The above are but a few out of the many contracts held by James Reeside and others his partners. The allowances in the above cases, beyond the amount of their open bids and the fair and legal contracts, in \$62,316 78 a year; amounting, during the continuance of their contracts, to the enormous sum of \$249,267 12, given to these contractors by the department, without advertising and without competition.

The amount of these allowances were somewhat reduced on the 1st of December last, in consequence of the insolvency of the department.

It will be noticed in these and many similar cases of favored contractors, that, where they are concerned, competition is absolutely put down, and the notice published pursuant to law, inviting competition and the public biddings, are but mere masks to cover their secret transactions. The route is not advertised as it is to be run; and before it is put into operation, some improvement, generally comports with an alternative proposition in the bid, is ordered, and the original contract is merged and lost in the improvement. The compensation agreed to by the legal contract is, in some instances, so insignificant, that it is hardly worth adding in as an item in the aggregate allowance.

But it has not been thought necessary, in all cases, to preserve even the cover of increased services, as an excuse for these extra allowances. The 10,000 dollars yearly allowed to Reeside & Slaymaker, on the route from Philadelphia to Pittsburgh, is wholly without this apology. The allowance was for hardships incurred in the performance of a stipulated service, not for any thing done which their contract did not require of them. The whole hardship, too, as proved by the testimony of Reeside, was this: The mail was so heavy for three of their trips weekly, as to prevent their taking in a full load of passengers on those trips; by which it would seem that the department, after paying for the transportation of the mail on this route, something more than 30,000 dollars, was also held bound to pay the contractor extra for whatever expense and inconvenience the transportation of the mail might occasion him. Or rather, to give the transaction its true character, this ten thousand dol-

lars a year was a gift, out of the funds of the department, to these contractors: and there are some further circumstances attending it, which, on the most careful inquiry by your committee, are not satisfactorily explained.

The evidence shows that Reeside & Slaymaker, represent two companies which share equally in the profit and loss on this line. The money accruing for transportation is received by Reeside & Slaymaker, a moiety by each, and distributed by them to their respective companies. This extra allowance of ten thousand dollars was received by them on the 5th of May, 1833, and no part of it has yet been paid over by either of them to their partners, or entered upon any account book of the companies. Reeside, on his examination, stated that they had kept this back to pay some old debts of the companies, which they supposed had been provided for, but which were, unexpectedly found to exceed the sum appropriated for their payment. But being specially interrogated, he stated that this unexpected deficit did not exceed five thousand dollars in the whole, and that it was not discovered to exist until about three months after the first ten thousand dollars of this extra allowance was received by him and Slaymaker. The whole amount so received, and so retained by them on this account, appears to have been sixteen thousand six hundred and sixty-six dollars, sixty-six and two-thirds cents. The allowance of this money and its application are alike remarkable.

There were also certain pecuniary transactions of a private nature, between these contractors and some of the officers of the department, which came under the notice of your committee, which, in their opinion, merit consideration.

Some time in the year 1832, O. B. Brown applied to Slaymaker for a small loan of money, (300 dollars), which Slaymaker accordingly lent him, but took no note, and made no memorandum of the transaction, which took place in the presence of no one but themselves. At another time, Mr. Brown asked Slaymaker if he could lend him three thousand dollars at the usual rate of interest. This also was promised: and some time after, about the first of January, 1833, Mr. Brown renewed his request, and said he had made a purchase of the property of Dr. Temple, on the faith of the promised loan. The witness stated before the committee, that, at that time, he had not the required sum of money at command, but undertook to raise it, and accordingly did raise it, by means of draughts. These draughts were two in number, for fifteen hundred dollars each, drawn by Sam'l R. Slaymaker on O. B. Brown, and endorsed by James Reeside, and payable at ninety days date. They were negotiated at the Western bank, in Philadelphia, and sent to the Patriotic bank, in Washington city, for collection. They were paid at maturity by the proceeds of a draught drawn by James Reeside on O. B. Brown, for three thousand dollars, at ninety days. This draught was suffered to pass a day or two beyond its maturity without payment; but on the 18th of July it was paid out of the proceeds of a draught drawn by Samuel R. Slaymaker on James Reeside, for two thousand dollars, and one thousand dollars in cash paid by Slaymaker; and O. B. Brown, at the same time, drew on Reeside for two thousand dollars, which draughts were sent to the bank of Maryland for collection. It appears that neither Reeside nor Slaymaker made any charge, or kept any memoranda of these transactions; that they have no note or acknowledgment of Brown, showing his liability to them, unless it be the draughts which were taken up, which Slaymaker says he thinks he preserved, but of which he does not profess to be certain. He, nevertheless, denies absolutely that it was intended as a doceur or gratuity to Brown. Reeside states that Brown paid him one thousand dollars in part of this loan. But this transaction is the more remarkable when taken in connection with another, testified to by Edwin Porter, which will be found in another part of this report. In that case, Brown was, shortly before and shortly after this transaction, the lender of very large sums of money to Porter, on interest.

It also appears that, in the spring or summer of 1831, Mr. Barry applied to Reeside, in Philadelphia, to assist him in negotiating an acceptance for 1,000 dollars, to raise some money for his (Mr. Barry's) individual use. Instead of doing this, Reeside advanced him the 1,000 dollars; and he stated before the committee that Mr. Barry paid it by his acceptance at a short date, which he (Reeside) negotiated in the Schuylkill bank. On inquiry of the cashier of the Schuylkill bank, we were informed that no such acceptance was negotiated there. Your committee, having collated the evidence touching these transactions, leave them without comment.

In some of the contracts above examined, and many others that passed under the notice of your committee, very large sums of money have been paid by the department, for the establishment of a second, and sometimes a third, daily line on the same route.

When the contracts for a regular daily mail have been advertised and let out pursuant to law, your committee can look upon these expenditures in no other light than that of an enormous waste of the public funds. Take, for example, the case of the contract from Philadelphia to Pittsburgh, and from Pittsburgh to Washington, brought up, as we have already shown, from 8,250 dollars to 40,150 dollars—while a single mail, in each way daily, on that line, is all the public service, or the business of the country does require, or ever has required. Additional lines of stages there are convenient only for the transportation of passengers, and, whenever the business of the country requires them, they spring up of themselves without the aid of government. And those opposition lines, which are got up by

individual enterprise, serve the interest of the travelling public as well, and perhaps better, than the additional daily lines of coaches, all subject to the control of the same individuals, which, under the name of additional mails, are sustained by enormous bounties out of the public purse.

The monopoly set up by the establishment of these additional daily mails, and express mails, is of the most pernicious tendency. They enable the large mail contractors to put down and ruin any man who shall attempt to compete with them in the transportation of passengers; and thus, for want of that wholesome competition which the natural course of things would otherwise create, are travellers delivered over to the mail contractors and their servants as a kind of property, to be dealt with, and disposed of, for the time being, according to their good pleasure.

It is not the purpose of your committee, by these remarks, to arraign the conduct of any class of individuals. These men, like all others, pursue their own individual interest, and many of them labor assiduously for the comfort and accommodation of the public. It is our purpose to mark the general tendency of things, and few travellers can have failed to observe that the comfort and convenience of the passenger in the mail stage is promoted by the existence of an efficient opposition on the same route.

But besides the general effect of these agreements, of which that is one of the avowed objects entered into between two large companies of contractors, each running those additional lines, and each in the receipt of very large extra allowances, appears to have been made with the approbation of the department, and filed among its archives to be safely kept and officially enforced. In one clause it binds the contracting parties, under a penalty, to transport no passengers for less than a stipulated price. It also binds them to use their efforts to put down an opposition line which appears to be established on one of their routes, and not to receive any passengers who shall have been carried on any part of the route in an opposition coach.

Your committee have caused a copy of this agreement to be appended to this report, and they are of opinion that, as an act countenanced, encouraged, or sanctioned by the department, or any of its officers, it is, in the above mentioned particulars, an unjust invasion of private rights.

The express mails which have been above noticed by your committee, are, as far as they can ascertain, nothing more nor less than another line of mail coaches, sent for no special purpose, or on any special emergency; probably applied for because it was found profitable to run a third line of coaches for the transportation of passengers, and granted because they were applied for. Your committee look upon the expenditure of money to establish these second and third daily lines in no other light than that of a premium paid by the department to one line of passenger coaches, tending to give it the ascendancy over every other line. A striking case, in illustration of this view, occurs in the agreement above referred to. Stockton and Neill are the contractors on the line from Washington, Pennsylvania, to Wheeling—Reeside and others are contractors on the route from Philadelphia, by Pittsburgh and Washington, to Wheeling; thus running two mail lines from Washington to Wheeling upon the same road. By the agreement referred to, Reeside stipulated to run that route no oftener than each alternate day; in consideration of which, Stockton and Neill agree to carry Reeside's mail on each of the other alternate days, without compensation, except at the option of Reeside. The transportation of the mail is treated as a mere incidental business, not worth serious notice in a contract about passengers and opposition lines.

R. C. Stockton and Wm. Neill contracted to carry the mail from Cumberland to Wheeling; from Washington, Pennsylvania, to Stenbenville; from Baltimore to Cumberland; from Washington city to Frederick, and from Frederick to Winchester, from the 1st day of January, 1832, for four years, (see report of April 18, 1832, doc. 212, p. 12), at the annual compensation of \$7,000.

But the contract was in fact executed, giving them a yearly compensation for the same line, with some variations, at \$15,500. And for increased expedition, and increased number of trips, making two lines of stages daily; which was, as is believed, wholly unnecessary for the public service—they were allowed extra the yearly sum of

22,962

Thus, upon a contract for 7,000 dollars, made pursuant to law, the department has, by means of hypothetical bids and extra allowances, transferred to the hands of these individuals the yearly sum of

\$38,462

R. C. Stockton and Wm. Neill were also contractors for carrying the mail on seventeen mail routes, stated in the report of April 18, 1832, (Doc. 212, p. 17), at the annual compensation of

\$30,000

\*The contracts, however, appear to have been so modified and adjusted, after the acceptance of the bids, as to give them on the same routes the annual compensation of

\$50,410

And they were allowed for extras, including an allowance for tolls and ferridges, yearly

18,596

Making an aggregate of

\$69,006

Being an advance upon their regular legal contracts of

\$39,506

\*Rep. of March 3, 1834, doc. 138, p. 210, 211.

The advance upon the other contracts above referred to is	31,463
Making the yearly advance allowed on the two contracts of	\$70,968

Which, during the four years of their continuance, amount in the aggregate to

\$283,672

And this given without advertising and without competition.

R. C. Stockton is contractor for carrying the mail on routes Nos. 1, 105, 1, 111, 1, 219, 1, 371, 1, 372, 1, 387, 1, 391, 1, 395, 1, 396, 1, 397, 1, 398—24 miles daily, 61 miles thrice a week, 98 miles daily, 38 miles daily, 70 miles daily, 54 twice, 58 miles daily, 24 miles once, 15 miles once, 30 miles once, at

\$14,950

This contract has no schedule attached to it, and on its margin it has this memorandum: "All the improvements in this contract were ordered by the postmaster general from the beginning; he is therefore entitled to the stipulated sum of \$20,150 per annum additional."

It is also noted on the contract, and stated in the report of March 3, 1834,† that the express mail from Baltimore to Lancaster is discontinued, but no mention is made in that report or elsewhere, as your committee can discover, that such express mail was ever established. The improvements for which this enormous sum of \$21,150 was allowed, are not indicated in any report made to congress. In the report of the 18th April, 1832, the contract is set down at \$14,950, and nothing is any where said to the public of increased service or increased compensation. The extra amount thus paid on this contract, without legal warrant or adequate consideration, during its continuance four years, is \$80,600, besides the \$3,150 a year paid for the express mail on the same line.

In the above case, it will be perceived that the contract is, in the aggregate, for eleven mail routes; so interweaving and complicating the transaction as to render it exceedingly difficult to unravel it, and to find whether the bids at which the routes were struck off, are the most favorable for the department, and still more difficult is it to ascertain the reality of any alleged improvements, and their actual value if they exist. The same objection occurs in numerous cases. Improvements are said to be made by expediting on one route, changing the schedule on another, and ordering additional trips on a third; so that a single contract is, in this manner, rendered so complex as to require the labor of several days to reduce it to its elements, and ascertain its true condition.

E. Porter & Co. are contractors for carrying the mail from Staunton, in Virginia, to Catlettsburgh, Kentucky, three times a week, in four-horse post coaches, from the 1st of January, 1831, to the 31st of December, 1834, at an annual compensation of \$7,566.

On this contract, legal and regular in its inception, are engraffed extra allowance compensation for extension and private contracts to the enormous yearly sum of \$18,156.

The two largest of the items which compose this extra sum, namely, \$2,000 for extending a steamboat mail, between Guyandotte, Virginia, and Cincinnati, Ohio; and \$11,000 a year for extending the steamboat mail to Louisville, is, in the opinion of your committee, not only an unnecessary and extravagant expenditure of the public funds, but is an act wholly unauthorised by law.

Every one acquainted with the situation of the country, and the course of business between those points, will be at once satisfied that it is unnecessary. It is wholly immaterial whether the mail be carried between those points in a two-horse coach or in a steamboat, provided it be carried safely; and the lines on which it was carried before the establishment of this route were ample for that purpose. No one travels in stages from Guyandotte to Cincinnati, or from Cincinnati to Louisville; and the aid of the department is not necessary to keep up a constant and regular communication by steamboats between them. The establishment of this line was therefore unnecessary, either for the transportation of the mail or the accommodation of passengers.

It was also against law. The general act of the 3d day of March, 1825, reducing into one the several acts regulating the post office department, in its 1st section, enacts, that the postmaster general "shall provide for the carriage of the mail on all post routes that are or may be established by law." This clause contains his whole general authority for contracting for the transportation of the mail, and this does not authorise the setting up of this line of steamboats, inasmuch as the Ohio river between these points is not a legal mail route. But the authority here exercised may be supposed to be conferred by the 5th section of the act which provides "that the postmaster general be authorised to have the mail carried in any steamboat, or other vessel which shall be used as a packet in any of the waters of the United States, on such terms and conditions as shall be considered expedient: provided, that he does not pay more than three cents for each letter, and not more than one-half cent. for each newspaper conveyed in such mail." But it is perfectly clear to your committee that this provision of law was never intended to authorise, and does not authorise, the establishment of a steamboat line by contract for the purpose of carrying the mail; the whole frame and language of the section forbids it. "The postmaster general is authorised to have

the mail carried in any steamboat which shall be used as a packet." He may avail himself of such means of transportation when he finds it already existing, but he is not authorised to incur the expense of providing it. The law also provides that he shall not pay more than three cents for each letter, nor more than half a cent for each newspaper so carried; a restriction wholly inconsistent with the supposition that he had power to get up steamboat lines by the contract for the transportation of the mail. And the reason that this is not permitted is obvious; the expense of getting up a steamboat line by contract, for the transportation of the mail, is enormously disproportioned to the object; while, at the same time, the department may avail itself most advantageously of an existing line of packets for the cheap and expeditious transportation of the mail. The 5th section of the act, above referred to, is a transcript of the 3d section of the act of the 27th of February, 1815. And while the last named act was in force, it was thought expedient by the department to contract for carrying the mail from New Orleans to Louisville by steamboats. But, as the power was not supposed to be conferred by that law, a special act was passed on the 2d March, 1819, authorising such contract, with the express proviso that the whole expense of sending the mail in steamboats should not exceed that of transporting the same by land. In the steamboat contracts made by the present postmaster general, not the slightest attention is paid to the restrictions in either of the above named statutes, and the sum paid for the transportation of the mail from Cincinnati to Louisville consumes greatly more than half the net revenue received by the department in both those cities.

There is another transaction with the same individual, which is liable to the same and still stronger objections.

It seems that a person by the name of Rhodes undertook to carry the mail from New Orleans to Mobile, but failed and gave up the contract. Afterwards Messrs. Stockton and Stokes, James Reeside, and Avery and Porter, undertook to carry the mail on the same route, three times a week in steamboats, for twenty-five thousand dollars a year. They also failed to comply, and their contract was also given up. Edwin Porter then undertook, by private agreement with the department, to carry the mail daily on that route in steamboats for four years, at forty thousand dollars a year, which agreement is still subsisting. Within the last year there were one hundred and fifty failures on this improved line, for which the contractor says he is fined on the books of the department six thousand eight hundred dollars, yet no part of this sum appears to have been retained out of his pay. On the contrary he was permitted to overdraw very largely, and his draft for twenty thousand dollars, accepted by the postmaster general, and not yet paid, was discounted some time since at New Orleans, to enable him to raise money to go on with the contract, which was likely to fail by the unskillfulness and inefficiency of his agent. This contractor, Edwin Porter, is also the borrower of large sums of money of Obadiah B. Brown—three thousand five hundred dollars early in the year 1832, and four thousand five hundred dollars in November 1833, making an aggregate loan of eight thousand dollars.

The waste of money on this contract is enormous. The net proceeds of all the postages in the city of New Orleans, and the town of Mobile, are hardly sufficient to sustain it. The law has been violated by entering into a contract to get up a steamboat line for the transportation of the mail without any regard to legal restrictions. It was violated by the department when it entered into a contract for the transportation of the mail without an advertisement inviting public competition. And there is another feature in this and some other cases which your committee have examined, which, in their opinion, is deserving of the most decisive condemnation. It is the blending and connecting the fiscal affairs of the department with those of individual contractors. Thus, while advancing its funds, and lending its credit to this individual to enable him to repair his errors and carry on his contract, the department itself did, in several cases, call in the aid of other contractors to assist it in raising money to pay its ordinary and current expenses. Two instances of this kind are stated in the testimony of James Reeside. About two years ago, he drew a draft of six thousand dollars at the request of the department, and for its use, and got it negotiated at the Western bank of Philadelphia; and some time last winter he "arranged" ten thousand dollars through the assistant postmaster at New York, for the use of the department. No other cases of the like kind are distinctly in evidence before the committee, but, from general information, they believe the practice to have prevailed to a considerable extent. Your committee condemn this practice most decisively. In their opinion, it is placing the department in an improper and injurious connection with individuals. As a matter of mere prudence, independently of the question of power, it should neither venture its own money or plight its credit, to sustain any individual, much less should it ask pecuniary assistance of its contractors to enable it to keep up its credit. These contractors should be required to do their duty, and they should be asked for nothing more. Favors are expected to be reciprocal, and if the department ask and receive them, it cannot deny when something is asked in return. But the department has placed itself in this undignified relation with its contractors. It has become the acceptor for one, to enable him to sustain his credit and carry on his contract; and it has become the debtor to another for his name to enable it to raise money to answer its own pressing necessities. The relations in which

†April 18, 1832, doc. 219, p. 8.  
†Doc. 138, p. 151.

it is thus involved are partly the cause and partly the consequence of its present insolvent condition. The individuals who, variously connected and combined, hold extravagant private contracts, and who receive extra allowances, which exhaust the revenues of whole states, are the same who lend their credit to keep up the credit of the department—who furnish funds to pay off the debts and relieve the embarrassments of its chief officer—who advance large sums of money to enable another of its officers to purchase real estate "at a reduced price,"—and who send presents of choice wines to furnish the tables of both.

William Smith is the contractor for carrying the mail from Washington city to Lynchburg,\* two hundred miles, three times a week, in four-horse post coaches, at the yearly compensation of \$6,000  
 He was allowed for two changes of schedule, the propriety and utility of which is not shown, 800 dollars and 300 dollars, 1,100  
 For a daily mail from Washington to Warrenton, fifty-two miles, 1,200  
 A daily mail from Warrenton to Orange court house, forty-four miles, 1,600  
 And a daily mail from Orange court house to Lynchburg, one hundred and six miles, 4,000

Making an extra allowance yearly of \$7,900  
 The four additional trips per week were relinquished on the 1st December, 1833, in consequence of the insolvency of the department, and there was deducted from the extra allowance 4,900

Leaving for no known increase of service the yearly allowance of 3,000  
 If we admit the change of schedule to be a meritorious cause for the allowance of 1,100  
 The contractor is, in that case, released from all his additional trips; for which he was allowed 6,800 dollars, and his compensation is reduced in consequence of it but 4,900, leaving him an additional yearly allowance of 1,900

For which no service whatever is rendered.

There is also an extra allowance of nine hundred and seventy-five dollars made to William Smith† for an extension of his line from Dobson's X roads to Lexington, North Carolina. Prior to this arrangement, this mail went on the route from Dobson's X roads to Salem, and from Salem to Lexington, which increased his distance only seven miles, passing through a very flourishing town. This extension, as it is called, was therefore wholly useless, except so far as it served the convenience of the contractor, and enabled him to draw off upon his newly adjusted line the passengers which had theretofore gone upon the old line of Peck and Welford. It does not touch a single post office in the twenty-five miles which is not also passed on the regular mail route established by law.

The extra allowances made on this route of William Smith,‡ from Washington until it unites with the route of Peck and Welford, at Lexington, N. C. was 8,875 dollars, as stated in the report of the 3d of March, 1834. The true sum is believed to be larger, but taking that to be the actual amount, the extra allowances exceed the whole net proceeds of postages on that line from Alexandria, where it first diverges from the line of Stockton & Co. to Lexington, where it unites with the line of Peck and Welford, by more than 2,000 dollars, including all the postages of the large towns of Warren, Charlottesville and Lynchburg.

E. P. Johnson is the contractor for carrying the mail on several routes in Indiana, numbered 11, 17, 19, 23, 24, 25, 27 and 41, from the 1st of January, 1830, to the 31st of December, 1833, at a yearly compensation of 3,300 dollars. There are no less than eighteen different modifications and additions to this single contract, for which he receives in the aggregate yearly 14,502 dollars 18 cents, in addition to what he receives by contract—amounting in the four years to 53,008 dollars 72 cents; and all this by private arrangement, without advertisement or competition.

The net amount of postages received in the the state of Indiana, according to the report of the postmaster general, on the 28th of February, 1831, was 9,609 dollars 67 cents, falling short by 4,892 dollars 51 cents of paying the yearly extra allowance on this single contract. The increase of the postages during the continuance of the contract will not, in all probability, bring up the receipts to a sum sufficient to discharge these extra allowances in the four years by the net proceeds of postages for the same four years in the whole state.

§ E. P. Johnson, John Hutchins, Joseph H. Hough, William Henny, and J. G. Chiles, are stated in the report of the postmaster general of the 18th of April, 1832, (Doc. 212, p. 22), as contractors for carrying the mail from Maysville to Louisville daily; from Frankfort to Nashville three times a week; from Louisville to Nashville six times a week; and from Lexington to Bean's Station six times a week, in four-horse post coaches, at the annual compensation of 37,760 dollars.

\*Doc. 138, p. 157.

†Doc. 138, p. 166.

‡Doc. 119 of 1830 and 1831.

§Nos. 1,731, 1,740, 1,741, 1,742 and 1,746.

Your committee called for the bids pursuant to which this contract was made, and they find those that are marked accepted as follows:

1,731. From Maysville to Louisville daily, in four-horse post coaches, one hundred and forty miles; also, from Lexington to Frankfort, thirty miles—E. P. Johnson's bid—"accepted and executed," \$1,500 00  
 1,740. From Frankfort, Kentucky, to Nashville, Tennessee, three times a week in four-horse post coaches, two hundred and six miles, Hough and Chiles, 1,740 and 1,741 improved—"accepted and executed," 7,080 00  
 1,746. From Lexington to Bean's Station, one hundred and seventy-one miles, twice a week, in four-horse post coaches, J. G. Chiles, ("accepted and executed,") 6,500 00  
 1,742. From Louisville to Nashville, one hundred and seventy-four miles, in four-horse post coaches, six times a week, to Bowling Green, and the remainder three times a week, E. P. Johnson & Co.—("accepted and executed,") 4,500 00

Amounting in the whole to \$22,580 00

Being less than the sum reported by the postmaster general in his report of April 18, 1832, by \$15,180.

Opposite the accepted bid on route 1,742, from Louisville to Nashville, is noted in red ink, "to run alternate between Franklin and Russellville at pro rata allowance," showing that one of the routes which he run from Bowling Green to Nashville under this contract, passed through Russellville.

1,743. And in doc. 212, p. 23, of April 18th, 1832, we find that John Gray receives on the route from Bowling Green to Nashville, 2,980 00

And by the report of the 3d of March, 1834, (Doc. 138, p. 218), he appears to be allowed for running three additional trips from Bowling Green to Russellville on the same route, 1,019 55

Amounting to \$3,999 55

So it appears that John Gray is paid three thousand nine hundred and ninety nine dollars and fifty five cents for carrying the mail from Bowling Green to Nashville, on the same route on which it is carried by E. P. Johnson & Co. as above.

James F. Robinson contracted to carry the mail daily, in four-horse post coaches, from Cincinnati, Ohio, to Georgetown, Kentucky, 72 miles, in 14 hours, at a yearly compensation of 1,000 dollars. His schedule was so changed that he was required to run through in 12 hours, instead of 14, making part of the trip in the night; for which he was allowed the additional yearly compensation of 3,000 dollars. It is not perceived by your committee that the change of a schedule was at all essential to the public interest.

One among the many contracts of Avery, Tompkins & Co. and others who are connected with them, and whose contracts are interlaced with theirs, is taken as a specimen of another very large class of cases—a leading feature of which is complication and confusion.

The annual report of the postmaster general of the 25th of February, 1832, states that E. Porter, James Reeside, John H. Avery, Isaac Tompkins, D. A. Saltmarsh, Charles P. Mallett, John McLean, and Sidney Porter, are contractors on routes 1,901, 1,902, 1,903, 2,047, 2,101, 2,102, 2,104, 2,105, 2,254, 2,255, 2,352, 2,353, in stages and steamboats, at 67,950 dollars yearly.

The postmaster general in his report of the 3d March, 1834,\* states that Avery, Tompkins & Co. are contractors on routes Nos. 1,903 and 2,101, at a compensation of 24,000 dollars; and they received, for divers improvements on routes Nos. 1,903, 2,101 and 2,103, which are all included in the grand aggregate of contracts above named, and also for improvements on 2,107, which is not included in it, an extra allowance yearly of 13,500 dollars. Thus first grouping, and then dividing into smaller groups, and confounding one group of contracts with another, until it becomes impracticable to trace and reduce to their elements their mutual other transactions.

After several other extras for improvements which result in daily mails, with increased expedition on these routes, and an increased allowance of 11,000 dollars a year, there occurs this extraordinary allowance:

"For running, besides a tri weekly line in a four horse wagon, so as to exclude passengers, and insure the regular arrival of the mail during the winter season, they were allowed, from December 1, 1832, an additional compensation, at the annual rate of two thousand five hundred dollars." Thus, after paying these individuals a large compensation by contracts for carrying the mail, and giving them further large extra allowances for carrying it, they are paid two thousand five hundred dollars a year further extra for carrying it in a wagon.

In examining the proportions which the money paid for the transportation of the mail bears to the receipts for postages in particular districts of country, and even in whole states, the disproportion is in some cases remarkable.

The extra allowances of E. P. Johnson, on one single contract, as has been shown, consume the whole revenue of Indiana.

\*Doc. 133, p. 144.

The extra allowances of contractors in Virginia fall short, in but three hundred and thirty-five dollars, of swallowing up the whole revenue received by the department in that state.

In North Carolina, the extra allowances fall short of the net receipts for postages six hundred dollars.

In Alabama, the extra allowances are to the net proceeds for postages as two to one.

The whole net proceeds of postages in Virginia, as appears by the postmaster general's report of the 28th of February, 1831, was seventy-nine thousand two hundred and sixty-two dollars ninety-one cents. The whole cost for transportation in that state by the contracts of October, 1831, and allowances and extra allowances made to contractors, is \$233,959

Falling short but \$3,829 of three to one. The whole net receipts in Alabama were 22,678 The cost of transportation within it is reported at 157,566 Being something more than five to one.

These estimates are subject to variation equal to the increase of postages in those states from January, 1830, until the contracts took effect, and the extra allowances were made. When those corrections are made, the disproportion between the net receipts for postages, and the expenditures in those states, though lessened, will still be enormous.

The law contemplates that on new routes, and consequently in new states, a considerable expenditure should be allowed over and above the amount of receipts; but even where the money is fairly and judiciously applied for the benefit of the public, there is a limit beyond which such expenditure is not permitted to pass without the consent of congress. By the 39th section of the act of 1825, redacting into one the acts regulating the post office department, it is provided "that it shall be the duty of the postmaster general to report annually to congress every post route which shall not, after the second year from its establishment, have produced one-third of the expenses of carrying the mail on the same."

If this provision of law had been attended to, the aggregate of the routes in Indiana, Illinois and Alabama, ought to have been reported as unproductive routes; and Kentucky, Tennessee, North Carolina and Virginia, would but just have escaped its provisions; the expenditure in each of these last named states being more than double the amount of receipts.

There are two states which lie, side by side, nearly equal in population, extent of territory, and in the revenue which they yield to the department, which show a remarkable difference in the sums paid in each for the transportation of the mail.

In Vermont there was received for postages, as appears by the report of February 28, 1831, net \$17,663 72 In New Hampshire, 16,338 82

Difference in favor of Vermont 1,324 90

There is paid for transportation in New Hampshire 38,818 96 In Vermont 23,208 66

Difference on the other side 15,610 30

Your committee find no good reason for this disproportion of expenditure in these two states.

Mr. Jefferson, in his letter to Nathaniel Macon, of May 14th, 1801, says that "a very early recommendation had been given to the postmaster general to employ no printer, foreigner, or revolutionary tory, in any of his offices." His reason for the exclusion of the PRINTER from any connection with the post office department is obvious; and if we would preserve the press from corruption, and prevent it from exerting a corrupting influence over the community, that recommendation ought to be esteemed as a precept, and religiously observed in the present and in all future times. But this admonition has passed unnoticed, or is disregarded, by those who now conduct the affairs of this department. Large sums of money appear to have been expended in such a manner, that the obvious tendency of the expenditure, is to extend the influence of the department over the public press, and through that press over the people.

William Smith, whose extra allowance, as stated in the Blue Book, (p. 256 and 258), amount to \$11,129 a year, is the proprietor of an efficient party press in Culpeper county, Virginia.

Loratio Hill, said to be the conductor of a violent party press in the state of New Hampshire, is a contractor to carry the mail on no less than fifteen mail routes; and instead of extra allowances, his contracts are noted in the margin "WITH NEWSPAPER PRIVILEGE," which we understand to mean the privilege of carrying and distributing newspapers at pleasure on his mail routes.

Hay and Bennett were contractors for carrying the mail from Bellefonte to Meadville, in the state of Pennsylvania, from the 1st of January, 1832, to the 31st of December, 1831. On the 5th of January, 1830, they obtained an extra allowance of \$500 a year for increased expedition, and it is said that Bennett thereupon purchased an opposition press in Meadville, and arrayed it at once on the side of the administration.

At the lettings in October, 1830, this route was advertised to run through in two days and seven hours. E. Platt & Co. bid for it at \$1,900; Moore, Libb & Co. at \$2,450, and Benjamin Bennett at \$3,250, pt. 525 \$700 in broken bills, equal, it is believed, to \$1,575 for the whole route. The bid of Benjamin Bennett is unmarked accepted, and the acceptance erased, and that of J. B. Bennett (the owner of the press) is accepted at \$3,500, through in two days. But the schedule which appears to have been made out at the time of executing the contracts states that, on account of the unusual freshets and destruction

of bridges, and other material changes in the road since the 15th of October, 1831, it is agreed to run the mail through in two days and a half each way, making five hours longer time than it was fixed at by the advertisement, and proposed for the other bidders. Supposing the bid of Benjamin Bennett to be fictitious, or made by arrangement, merely to enable the department the better to transfer the contract to J. B. Bennett, there is still a difference between the next lower and valid bid, and that at which it was struck off, of \$1,520 a year, equal in four years to \$6,080, which appears to be the extra expense incurred by the department to place this contract in the hands of a newspaper editor.

The "incidental expenses," comprehending the secret service fund of the department, present an interesting subject for consideration. No law appropriates money for those expenses. Congress exercises no control over them. The postmaster general, at his mere discretion, selects the objects of his patronage, which he dispenses from the revenue derived from postages, and is guided by that discretion alone in fixing the amount of that patronage. He may employ one printer and one travelling agent, or one hundred of each at his pleasure; and he may pay each of them as much as he pleases. If, by the improper exercise of this and his other unrestrained powers, the department becomes bankrupt, then, by the construction which he bestows on the constitution, he (not congress alone) may borrow any amount of money, on the credit of the nation, to supply the deficiency. Subjoined is a statement of these incidental expenses from the year 1790, prepared by a clerk, at the request of the committee, accompanied by a view of the "contingent expenses," and of the sums appropriated by law for the salaries of the officers of the department, which must not be confounded with the "incidental expenses." By this statement will perceive that, from a sum less than two thousand dollars, these expenses, under former administrations, gradually increased for many years, there being an average annual addition of about one thousand dollars. In 1829, they had sold to the sum of \$56,471, exceeding the sum expended in any former year; and in the year commencing July 1, 1832, embracing the period of the last presidential election, they amounted to about \$88,000, being a sudden increase of near 20,000 dollars over the corresponding expenditures of any former year.

Of these expenses, no detailed account is required to be rendered to congress—no report of the various items which form their aggregate amount is published. The money to defray them constitute what may be emphatically called the secret service fund. The fund commonly so called, which is placed in the hands of the president to defray the contingent expenses of foreign intercourse, is not so properly entitled to the appellation. That fund is limited in its amount by the will of congress, whose approbation is requisite to its existence. This fund is unlimited by aught but the will of him who uses it, and is as free from the control of law as if it were the treasure of an independent government. That fund is also limited by the acts of appropriation to a certain object. This has just so many objects as the postmaster general may select. Whatever expenses he chooses to consider as "incidental" to his department, he pays; and the only account which he renders for it is confined to a line in his annual report, thus: "The incidental expenses for last year were \$7,701 dollars." The consequence of this state of things is, that, while the secret service fund in the hands of the president is 30,000 dollars, the fund expended during the current year by the postmaster general for the "incidental expenses" of his department has now increased, as appears by the estimate in his last annual report, to thrice that sum.

At an early day of the present session, one of your committee drew the attention of the senate to this subject, by a resolution calling for an account of these expenses for the period intervening between the 30th of September, 1831, and the 30th September, 1833. Months elapsed before any answer was given to the resolution, although, as will be seen by reference to the length of the report of the postmaster general on this subject, hereto annexed, the whole of it might have been transcribed from the post office books, by a tolerable clerk, in one day. When, after repeated inquiries for this paper, it was at length, for the first time, communicated to the senate, it appeared in secret session, in company with another paper giving an account marked "confidential." On the last paper, over which the veil of secrecy still hangs, your committee make no comment; but to the paper, on which the injunction of secrecy does not rest, they invite the attention of the senate.

While examining this document with a view to the correction of the abuses which it disclosed, the attention of your committee was arrested by the extent of official patronage to printers which it develops, and the amount of that patronage exhibited in the "Blue Book." The resolution of congress, of the 14th of July, 1832, directed that there should be included in the next (present) edition of this book a correct list of all printers in any way employed by any department or officer of the government, within the period between the 30th of September, 1831, and the 30th of September, 1833, with the compensation allowed to each. The resolution of congress, to enable the secretary of state to comply with it, enjoins it upon the "several heads of departments directing or incurring the expense, to cause the list, and the matter thereby required to be added, to be lodged in the department of state." The document in the Blue Book, (pages 182, 3, 4), entitled, "List of all printers employed by the post office department between the 30th of



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

For editorial and miscellaneous see page 291.

September, 1831, and the 30th of September, 1833, with the compensation of each," is the official paper furnished in obedience to this resolution, and is the first publication of any portion of the incidental expenses that has ever been made in obedience to the requisitions of law.

The object of the resolution was to interpose the check of public opinion to arrest the abuse of official patronage to printers, no other check having been provided. To the end, also, that this patronage might not be abused, without detection, by employing the owners of the press, in any other way than in printing, it provided that the list to be furnished should embrace all printers in any way employed, with the compensation to each, no matter for what allowed. If a printer be a mail contractor, it was intended by the resolution that the fact should appear. If any one of those who control the public press enjoys for years a monopoly in supplying the department with articles to the great profit of the contractor, the fact was designed to be shown, in order that the public might judge of the extent and influence of the executive patronage over the press so controlled. But, so far from accomplishing this, or any other proper object of this part of the resolution, it has been the means of eliciting a report from the post office department precisely adapted to mislead the public in reference to the whole subject.

On the list of printers in the Blue Book, True and Greene, proprietors and printers of the Boston Statesmen, are thus stated to be employed:

True & Greene, for printing blanks,	\$6,692 75
For advertising proposals,	206 50

Total compensation reported in the Blue Book, 6,899 25  
But the exhibit now made by the account of the department, hereto appended, shows that they have been employed during the whole time, (as the present postmaster general had in fact for years before employed them), in furnishing paper, printed blanks and twine, to the amount of \$29,907 75.

See the account for the following items:  
1832. January 25. True & Greene's compensation for furnishing blanks, paper and twine, to various post offices in New York and elsewhere, from 1st October to 31st December, 1831, inclusive, 3,944 10

May 9. True & Greene's compensation for furnishing paper and twine, &c. from the 1st of January to the 31st of March, 1832, inclusive, 2,144 35

Aug. 27. True & Greene, do. for blanks, paper and twine, from 30th June, 1832, 2,624 10

Dec. 15. True & Greene, do. for blanks, paper and twine, from 1st July to the 30th September, 1832, 2,455 05

1833. March 23. True & Greene, do. for blanks, paper, and twine, from 1st October, 1832, to 31st December, 1832, 2,164 85

April 23. True & Greene, do. for blanks, paper and twine, from 1st October, 1832, to 15th April, 1833, 3,727 23

July 24. True & Greene, for paper, blanks and twine, from 1st October, 1832, to 30th Sept. 1833, 3,022 12

Oct. 16. True & Greene, for blanks, paper, and twine, from 1st April to 1st Oct. 1833, 9,625 95

Real compensation, \$29,907 75  
So that the printers of "the Boston Statesman," thus employed by the department, received compensation for the articles which they were employed to furnish, within the period named in the resolution, exceeding, by \$23,008 50, the sums published by the department in the Blue Book.

And from an accurate examination of the original vouchers for these payments to them, the following facts appear:

First, that the real sum paid for "the printed blanks," including that the press work, type setting, and the paper on which the blanks were actually printed, was \$16,463 25

And that the real sum paid for wrapping paper and twine, was 13,444 50

29,907 75  
So that the sum paid for the printed blanks alone exceeds the sums published in the Blue Book, by \$9,564 00

Secondly. It appears that the only evidence upon which these large sums were paid, is the certificate of Nathaniel Greene, the postmaster at Boston. He is the brother of Charles G. Greene, of the firm of True & Greene. He undertakes to certify, in all cases, that blanks, paper and twine, were furnished to the various postmasters "in New York and elsewhere," of the quality stated in these vouchers. He is the same person who edited "the Boston Statesman," before that press was transferred to its present proprietors, and, from the information we have, it appears to us that the postmaster himself was interested in it at the time of granting his certificates.

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This is but one of a class of cases presented by "the incidental expenses," and we think it proper to remark, that, profitable as such contracts are, there is no competition admitted for them; no advertisement, or other notice, invites other persons to enter the lists in rivalry with the favored newspaper editor upon whom such compensation is to be bestowed. Established in a city where its patronage from other sources than executive favor was probably not very great, the press of "the Boston Statesman" appears by the vouchers and receipts, to have been sustained in the year 1832, when the last presidential election occurred, by the employment of its proprietors in rendering services to the amount of nearly sixteen thousand dollars, which were paid out of the revenues of this department.

And now it also appears that Hill and Barton, (printers of the New Hampshire Patriot), were allowed, during the same period when True and Greene were employed, \$7,543 26 "for blanks, paper and twine," of which \$4,238 53 was for printing blanks, though the sums appearing in the Blue Book, as paid to them, amount only to \$1,494 36.

Horatio Hill also had mail contracts for which he received 6,272 dollars, with "newspaper privilege," as we have seen, though the Blue Book does not notice the fact in the list of printers; and Hill and Abbot appear also on the list of mail contractors, both for Maine and New Hampshire, with Hill and Morse, T. S. Abbot and Co. Hill and Crane, and Babbit and Hill.

During the same period, Shadrach Penn, who is the printer and proprietor of the Louisville Public Advertiser, was employed to furnish blanks, paper and twine, to the amount of \$9,566 36, although in the Blue Book his name appears on the list of printers, as in any way employed by the department, only for the sum of \$2,297 91. Other sums were paid within the same period to other persons, for "paper and twine," amounting to \$24,562 61. The sums allowed during these two years, as appears by the vouchers and accounts for printed blanks, paper and twine, (not including the large sums paid to other editors for printing "mail proposals,") amount to more than seventy thousand dollars.

The account now exhibited by the department shows that Francis P. Blair, editor of the Globe, received, from the 30th of December, 1831, to the 25th of October, 1833, inclusive, the sum of \$21,634 90. He appears in the Blue Book for only \$14,371 57. But as the department, on the application of the committee, sent us only a part of the vouchers for this account, and deferred sending the rest until it is now too late to examine them in time for this report, we cannot say how far the official statement in the register is correct or incorrect. The rates at which this printer is employed are enormous, and, in our opinion, are not to be justified by reference to any thing which has occurred in the past history of this department. We herewith submit a specimen of the sums paid him for advertising; and accompanying the same is a statement of the rates and sums allowed for printing advertisements in July, 1830. The sum allowed for printing these advertisements is, it will be seen, about four times the amount then paid for them. See the statements marked X.

During the interesting period between the 1st of July and the 30th of Dec. 1832, the "incidental expenses" were \$22,958 07. Within that time \$13,673 31 was paid for printing to the editors and printers of newspapers, besides \$5,166 15 for other articles by them supplied. Of the sum so paid to printers, Francis P. Blair received \$3,386 50 "for printing proposals for carrying the mail from the 20th of July, 1832, to the 11th October, 1832," a period of two months and twenty-two days. The period immediately preceding the presidential election was the time selected for paying from this department to this single editor about one hundred and sixteen dollars for every day his paper issued from the press. At the same time "the mail proposals" appeared not only in the city prints, and others having extensive circulation in different parts of the country, but in the most obscure country papers, some of which, having consumed the aliment they fed on, have since perished for the want of it. We present a few examples, and inquire for what possible purpose, except that of supporting a party press, while an excited political canvass was proceeding in the state of New York, were the following expenditures made?

1832. Mack and Andrews, for publishing proposals for carrying the United States mail in New York, 31st October, 1832,	\$365 25
Bryan & Leaph & Co. for ditto in New York, 10th September, 1832,	441 90
James Striker, for ditto, in N. York, 29th November, 1832,	416 10
James Wright, for publishing in "Sandy Hill Herald," New York, proposals for carrying the mail in New York, 12th July, till September, 1832.	413 10

\$1,636 25

It will be seen, by reference to the account now furnished by the department, that while the *Globe* weekly, semi-weekly and daily, was publishing these very "mail proposals" for the whole union; and while the *Albany Argus* and the *Courier & Enquirer* were publishing the same for the state of New York, and transmitting them to every part of the state from which a bid could be expected, these four papers, some of them scarcely circulating through a single county in the interior, and published two or three times a week, were kept up at an expense of \$1,636 35 for two months' printing of the mail proposals for the whole state. For these and other similar expenditures, now brought to light by the document annexed, we can perceive no precedents in the former history of the department.

The year 1832 was also distinguished by the amount of expenses incurred for the services of sundry agents and secret emissaries who were put in motion at an expense of nearly ten thousand dollars for that year. These trips of investigation do not all appear on the face of the account. The sum of 6,995 is credited for sums paid to S. Gouverneur, the postmaster at New York. From an endorsement on one of the vouchers to support this charge, it appears that he has received credit on the books of the department for that amount, *by him paid*, for the incidental expenses of his office, from which we infer that, by the direction of the department, he made these payments; and was allowed them on settlement for postages. Mr. Gouverneur is not responsible for these payments ordered by the department. Among the receipts is one of P. S. Loughborough travelling agent, for one hundred dollars paid him on the 4th day of June, 1833; and seven of Barnabas Bates, another traveller, for \$1,353 cash, paid him as "special agent," between the 1st of August and the 12th of December, 1832, inclusive.

Mr. Barnabas Bates, in October, 1833, presented an account, of which the following is a literal copy.

"General post office,	Dr.
"To B. Bates, special agent	Dr.
"1833. April 30.	
To services from July 1, 1832, to date, 304 days, at \$3 per diem,	\$912 00
Do. expenses during the same, \$2 50	760 00
Do. do. steamboat and stage fare, do.	184 00
	<hr/>
	\$1,856 00

So that Mr. Barnabas Bates set a good price on his travels, and although, by an endorsement, it appears that Mr. C. K. Gardner, the first assistant postmaster general, doubted about the allowance of 50 cents of the \$2 50 per diem for "expenses," in addition to the "per diem for services," and the "steamboat and stage fare;" yet, on putting the question endorsed on the voucher—"shall the additional fifty cents be allowed under the circumstances?" the postmaster general undervrites—"allowed;" and on the 15th of October, 1833, Mr. Bates gives a receipt for a credit allowed him on account for the whole amount of 1,856 dollars. The most curious part of this matter, however, is, that the department has directed Mr. Gouverneur to pay these agents for travelling, as it appears they did, as "special agents," in New York and New England, and then covered and concealed the charges under the name of "incidental expenses of the post office at the city of New York." By the returns for the first quarter of 1833, it also appears that P. S. Loughborough, who receives an annual salary from the treasury of the United States of sixteen hundred dollars as "general agent" of the post office department, was paid in addition thereto the sum of \$2,467 66 as "special agent," for expenses in travelling in Virginia, New York and the western states, per order of the postmaster general, from the 1st of November, 1831, to 31st December, 1832, making the whole sum paid that officer during that period \$4,067 66. During the same period, it will be seen from the account that other agents received \$4,099 40, which, with the payment to Bates, made by Gouverneur, make \$9,510 66 for travelling agents in about one year. It is in evidence before the committee by O. B. Brown, that Mr. Loughborough started on another trip of investigation about four weeks ago.

Finally, the incidental expenses from the 1st of July, 1829, to the 1st of July, 1834, by the returns made for the four first years, and the postmaster general's estimates for the last, amounts to the sum of \$357,579 04; thus exceeding the incidental expenses of the five years previous to the 1st of January, 1829, by the sum of one hundred and sixty thousand five hundred and forty-one dollars. The necessity for legal restraint in this matter, we think too apparent to require further comment; and we now dismiss this part of the subject.

On the whole, your committee have found the affairs of the department in a state of utter derangement, resulting, as it is believed, from the uncontrolled discretion exercised by its officers over its contracts and its funds; and their habitual evasion, and in some instances their total disregard of the laws which have been provided for their restraint. And your committee see no means within the power of congress of extricating it from its present condition, and restoring it to healthy and efficient action, without providing by law a more strict system for its government; prescribing to its officers more special rules for the performance of their several duties; taking from them, as far as possible, all discretion, where the acceptance of a contract, or the disbursement of money is concerned; establishing a more strict system of accountability, and enforcing an observance of the laws by penal enactment.

Should congress advance out of the treasury for the support of the department, the sum of money asked for by the postmaster general, or even the whole amount of its debts, it is not probable, while under the management of its present officers, with no other means than now exist to control and restrain them, that its debts would be liquidated, or its efficiency restored. Under this impression and belief, your committee cannot recommend the appropriation of any money to relieve the wants of the department until there be some further guarantee for its proper and judicious application.

Your committee, reserving the right to make a further report on these subjects hereafter, respectfully recommend the adoption of the following resolutions.

[The resolution were published in the last REGISTER, page 261.]

#### VIEW OF THE MINORITY

Of the committee on the post office and post roads.

[Mr. Grady presented the following paper as containing the views of the minority of the committee, which was ordered to be appended to, and printed with the report of the majority.]

The undersigned, two of the five members composing the committee on the post office and post roads, to which was referred the resolution of the senate of the 29th March last, directing an examination to be made into the present condition of the post office department, differing essentially in their views, from the majority of the committee, consider it their duty to present a statement of the result of their inquiries, which it is believed is fully sustained by the testimony taken, and by the books and documents of the department.

The committee were agreed in the opinion, that it was a duty which they owed, no less to the postmaster general himself, than to the public, to give all the branches of that department as thorough an examination as practicable.

The first and leading point which attracted attention, was its financial condition. The report of the postmaster general, of November 30th, 1832, showed an expenditure, for the year ending 30th June, of that year, exceeding the amount of revenue for the same period, by \$7,530 18. It also showed an increase, in the amount of mail transportation, within the same period, at the rate of 8,156,392 miles, equal to upwards of a million of miles more than half of the whole annual transportation of the mail in 1829. It also showed a surplus of available funds at the disposal of the department, to the amount of \$202,811 40. The report of the postmaster general of November 30th, 1833, showed that the expenses for transportation of the mail, prior to the 1st July, 1829, had been \$64,248 76 more than had been reported; and, that the expenses for the same object from the first of July, 1829, to the first of July, 1832, had been \$141,407 31, making together an expense of \$205,656 07 beyond the amount which had been reported to the latter period. This exceeded the sum reported as a surplus on that day, and left an actual deficit, on the 1st of July, 1832, of \$2,844 67 beyond the whole amount of available funds, including all postages which had accrued prior to that day. The same report showed an increase in the transportation of the mail, within the year ending the 30th June, 1833, at the annual rate of 3,229,464 miles; and an excess of exportation beyond the revenue of the department, to the amount of \$195,208 40. The report also exhibited the annual expense of transportation to be, at the time of making the report, \$2,033,289 42, and the incidental expenses of the department, about \$90,000, making together the aggregate expense, for the year which will end the 30th June, 1834, \$2,123,289 42, while the net proceeds of postages, for the year ending the 30th June, 1833, was but \$1,790,254 65. This excess of expense must necessarily have continued to the close of the year 1833, from which period the retrenchments were to commence; which the postmaster general stated in his report to have been directed. Taking the report for a basis on which to raise the calculation, and the expenses of the department will have been, from July 1, 1833, to December 31, 1833

The net proceeds of postages for the same period,	\$1,061,644 71
as nearly as can be ascertained	941,368 61

Leaving a deficit for the half year, ending 31st December, 1833, of	120,276 10
Add to this the deficit existing July 1, 1833	195,208 40

And the total deficit on the 1st January, 1834, would be	316,454 50
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The retrenchments which were to take effect from the 1st of January, of the current year, ought to have reduced this deficit below the sum of \$300,000 by the 1st of April. The condition of the department appears to have been at that time, as nearly as we can ascertain, as follows:

Due to contractors, as per document No. 2, for services prior to January 1st, 1834	\$190,000 00
Ditto, from January 1st to April 1st, 1834	445,000 00

Total to April 1st, 1834	635,000 00
Due to banks for loans and over draughts, 11th April, 1834	451,599 48

Total amount due	\$1,086,599 48
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Amount brought forward,	\$1,086,599 48
Due to the department, on 1st April, from post-masters and available,	
To January 1st, 1834	\$300,000 }
From January 1st to April 1st, 1834	500,000 }
	800,000 00
Balance against the department to April 1st, 1834,	286,599 48
To this must be added, the interest, payable to the 1st of May, 1834, as per document No. 3, amounting to	5,510 00

And the whole deficit is \$292,109 48

In the above estimate of \$300,000, due to the department on the 1st of April last, of postages which accrued prior to the 1st of January, there is no possibility of testing its accuracy by any other estimate, because it is not an estimate of the postages that accrued from the 1st of October, to the 31st of December, 1833, the greater portion of which had been collected before the 1st of April, but it embraces all the remaining balances due to the department on the 1st of April, of all the postages which had accrued from the beginning of the government, so far as they are believed to be available. It must be obvious, therefore, that no correct estimate can be made of their amount, without going over every account, many thousands in number, striking the balance of each, and adding these balances together. This we have not done, and the labor which it would require is so great as to render it impracticable at this time.

It is also proper to observe, that of the \$500,000, estimated as the proceeds of the quarter ending on the 31st of March, 1834, a part had been paid over by deposits to the credit of the department, before the termination of that quarter; but so far as they had been thus paid over, they had been applied to the payment of claims against the department; so that if their payment in part lessened the amount due to the department, their application lessened in the same degree the amount due from the department.

It should be noticed, that many of the postmasters, in the most productive post offices, are required, by the regulations of the department, to deposit to its credit in bank, a portion of the proceeds of their offices before the close of the quarter. Some of these make their deposit weekly, some monthly, and some not till after the end of the quarter. Of the postage collected at the several post offices, it is estimated that about one-half, or a little more than one-half, is deposited in banks, and the remainder is drawn by drafts on postmasters in favor of contractors. Of the amount deposited in banks, it is estimated that about one-half is deposited before the close of the quarter; so that the amount thus deposited of the current proceeds, before the close of the quarter, is estimated at about one-fourth of the whole proceeds of the quarter, and is available by the department to the payment of transportation, for services rendered during the preceding quarter. The compensation for services rendered for transportation in one quarter being payable in the next. This, however, does not affect the means of the department for meeting its engagements, because the same means recur by the current deposits, to an amount, at least equal, in every successive quarter. It would only produce this result: that if the department were to close its operations, and wind up its business, at the termination of any quarter, it would be found about one month behind hand in its resources, beyond what it would be if its operations continued. These current payments have always been relied upon by the department, and while it continues its operations, they can never fail. They do not, therefore, sensibly affect the statement of the present condition of the department.

By the last report of the late postmaster general, 17th November, 1828, the annual transportation of the mail, at that time, was 13,610,039 miles. From the reports of the present postmaster general, which report is corroborated by a statement of all the mail routes, with their distances, and the frequency of transportation on each, it appears that the annual amount of transportation of the mail, on the 1st July, 1832, was 23,625,021 miles; and on the 1st July, 1833, it appears to have been further increased to 26,254,485 miles, nearly double the amount of what it was when the present incumbent took charge of the department. It also appears, from the reports of the postmaster general to the senate, of the 3d of March last, that the whole amount of allowances to contractors for extra services, by which this great increase of transportation was mainly effected, was \$485,662 41 per annum. To this sum should be added the expense of carrying into effect the law of the 15th of June, 1832, establishing additional post routes, which is estimated in the report of 3d of March, (last page), at \$125,341 88. On these new routes, no revenue of any considerable amount could be expected for some time, especially for the first one or two years.

The allowances for these extra services (all taken together), appear to be quite within the bounds of moderation, when compared with the amount of additional services rendered; and taken in connexion with the expense of establishing the new mail routes, required by the law of 1832, and the loss of revenue occasioned by the extension of the franking privilege to members of congress, throughout the year, and the circumstance of the expenses in 1829 being much greater than the revenues of the department, the present deficit is fully accounted for. These extra services were designed for no other end than the benefit of the community. At the earnest solicitation of many citizens, urged in most cases by members of congress, and others high in public confidence, the facilities were granted by the

postmaster general, and have been enjoyed by the community. In his great desire to satisfy the wishes of every section of the country, and to render the department as extensively useful as possible, he has gone too far, because he has exceeded the moneyed means of his department. But he appears, for the reasons assigned in his report, which has been communicated to the senate, to have been unapprized of the exact condition of the financial concerns of the department, till the deficiencies actually appeared. He then made the investigation, which resulted in disclosing the cause, and applied the corrective with as much promptness as the public interest would admit.

The want of a more perfect organization of the post office department by law, is calculated to produce embarrassment, and often to subject its head to unmerited animadversion. The other departments of the government are organized with sub-officers, holding their appointments from the executive, who superintend the different branches, and share the responsibility. The post office department was but small in the beginning, and has grown rapidly into its present magnitude and importance. To this circumstance it is probably owing that it has hitherto been left without proper organization. The individual who may happen to be at its head, is held responsible for every thing; though its business is so multifarious and extended that no individual can possibly superintend all its branches. It was formerly the case, that all its funds were at the disposal of a single person, without any check whatever upon him, or even the means of knowing whether the surplus funds were in deposit, or diverted from their legitimate object. The present incumbent has established a rule which is calculated to prevent abuse. No moneys can now pass into the hands of an individual, without the concurrence of at least two officers of the department. If it be a payment for transportation, it requires the requisition of the principal pay-clerk, and a check signed by the treasurer and by an assistant postmaster general, before the money can be drawn. If for any other purpose, it requires the requisition of the postmaster general himself, or an account audited by one officer, and approved by another, and a check in either case to be signed by both these officers, before the money can be drawn. This we conceive to be a very salutary improvement in the financial operations of the department, and well calculated to prevent abuses; but as it is only a regulation of the postmaster general, it is subject to change at his pleasure. He has indeed given to the system all the effect which he has the power of doing; but to give it permanency, so as to constitute a perpetual and effectual barrier against abuse, we are of opinion that it should have the sanction of law; and that the officers exercising these powers should hold their offices, as in other departments, not at the pleasure of the person who may fill the place of the head of the department, but of the president and senate.

The last report of the late postmaster general showed that the expenditures for the year ending the 1st of July, 1828, exceeded the revenues of the department upwards of \$25,000. Between that time and the following March, when he left the department, the contracts had been made for the new routes, established by the law of 1828, involving a very considerable increase of expense. The present postmaster general took charge of the department in April, 1829, and his first report showed that the expenses of the department for the year ending July 1st 1829, were nearly \$75,000 more than all its revenues for the same period. Thus it appears that the course of administering the department which produced the deficit in its means, began as early as 1827, or the commencement of 1828, and has continued from that period to the close of the last year. To meet the exigencies of the case, the postmaster general resorted to loans from banks, on which he had paid interest prior to the 1st April last, \$14,570 42, and the further amount which accrued to the 1st May, was \$5,510, making together the sum of \$20,080 42 interest to the 1st of May, 1834, as per document No. 4. These loans were made on the faith and credit of the post office department, and not of the treasury; yet, while the moneys of the treasury are abundant, it does not seem to comport with good economy for one department of the government to be paying interest to the banks for the use of money, which money is deposited in banks by another department of the government without interest. The committee therefore applied by letter to the postmaster general for a statement of his opinion of the amount which would relieve his department from pecuniary embarrassment. In answer to this inquiry, he stated that if, of the moneys formerly paid by that department into the treasury, the sum of \$450,000 could now be placed at the disposal of his department, it would effect the desired relief, and that he should be able to restore it to the treasury in the following instalments, without injury to the successful administration of the department:

On the 1st of July, 1835	\$150,000
On the 1st of July, 1836	150,000
On the 1st of March, 1837	150,000
	\$450,000

We therefore recommend the passage of a law authorising the measure, to the amount and on the conditions thus stated by the postmaster general.

The postmaster general has been in the habit of reporting annually to congress the contracts made for transporting the mail, with the name of each contractor, and the annual amount of compensation stipulated in the contract. In comparing the contracts made in the fall of 1831 with the report of the postmaster general made to congress in the beginning of 1832, it was found that in some cases the contracts, as they are in ac-

tual operation, do not agree with that report. An inquiry was instituted into the cause of this disagreement; and we are informed that when proposals are received for the advertised contracts, they are registered in a book called the "Proposal Book;" that when these bids are decided by the postmaster general, the word "accepted" is written against the name of the person to whom a route is assigned; that this is regarded virtually as the contract, though sometimes the written instrument is not executed for months after; that from the proposal book the report for congress is made out, the name of the person copied, and the sum at which the proposal was accepted; that sometimes modifications are subsequently made in the contracts, even before the services under them commence; and that in such cases there will appear a disagreement, as above stated. Upon further examination, we found that such had been the practice of the department under former administrations; and as a proof of it, we state a few similar cases which we have noted from a comparison made by ourselves, of the contracts made by the postmaster general in the fall of 1828, with his report to congress, in the beginning of 1829. They are as follows:

Eli Ensign is reported as having contracted to transport the mail between Hudson and Pittsfield for \$700 a year; but his contract made in 1828 is for \$1,000 a year. Thomas J. Magee is reported as having contracted to carry the mail on several routes for \$10,225 a year; but his contract made in 1828 is for \$11,843 a year. Russell Case is reported as having contracted to carry the mail between Utica and Ithaca for \$950 a year; but the contract was made with Parker & Co. in 1828 for \$1,425 a year. Eli Ensign is reported as having contracted to carry the mail between Bridgeport and Bennington for \$1,100 a year; but his contract made in 1828 is for \$1,250 a year. He is also reported as having contracted to carry the mail between Hartford and Albany for \$1,000 a year; but his contract made in 1828 is for \$1,500 a year. Pettis, Day & Co. are reported as having contracted to carry the mail between Boston and Windsor, and between Windsor and Burlington, for \$3,000 a year; but their contract made in 1828 is for \$4,400 a year. Hiram Plummer is reported as having contracted to carry the mail between Boston and Dover for \$800 a year; but his contract made in 1828 is for \$1,250 a year. In all these cases, the report to congress is made to agree with the proposal book, though the contracts were differently executed. The fact is therefore established, that the report of 1832 was made in conformity with the ancient usage of the department; and under this mode of reporting, a disagreement will exist whenever a modification of the contract shall be made subsequent to the acceptance of the proposal.

This practice, however, we consider erroneous, and are pleased to see that it is changed in the report of contracts made to the present session of congress, in which, not the proposals accepted, but the contracts according to the changes and modifications afterwards made are reported; this is proper and necessary to enable congress to have a full and correct view of the contracts and engagements made by the department.

The postmaster general, in his report of November 30th, 1832, stated the annual transportation of the mail to be 23,625,021 miles, making an increase from 1829 of 9,925,021 miles. A suspicion had been intimated of the correctness of this statement; and on an investigation of the subject, the following appeared to be the facts:

The late postmaster general, in his last report, November, 1828, stated, that on the 1st July, 1823, the annual transportation of the mail was,	
In stages,	4,489,744 miles.
On horseback,	5,511,496 "
That there had been added, from that time to July 1, 1823, in stages,	1,949,849 "
On horseback,	1,658,940 "

This made the annual transportation of the mail on 1st July, 1823, 13,610,039 miles.

The committee procured a list of all the post routes as they were in operation on the 1st of July, 1832, with the length of each, the manner of performance, and the frequency with which the mails were then transported, [document No. 5], from which it appears that the annual transportation of the mail on the 1st of July, 1832, was 23,632,350 miles; and that the increase to that period from the 1st of July 1823, was 10,022,311 miles, exclusive of the additional extent occasioned by the under-estimated hereafter pointed out. The report of 1832, made the whole amount of the annual transportation to be 23,625,021 miles, which is 7,309 miles less than the result of the calculation now made. This mode of ascertaining the amount of the annual transportation was deemed less liable to error, than any that could be resorted to. Besides, a further security for its correctness is furnished by the fact, that the length of each route is given, and the number of times the mail is transported thereon; so that any error contained in it, may be easily detected. The fact of a discrepancy between the report of 1832 and the calculation now made, to the small amount of 7,309 miles in so many millions, affords strong evidence of its general accuracy, and especially when it is considered, that the calculation now made and exhibited exceeds the amount then reported. The idea that the report of 1832, from any motive, placed the annual transportation of the mail beyond the true amount, is disproved by the fact, that it falls short of it by a calculation now made, from the most unerring data that can be obtained.

In this place we would state, that the committee employed Dr. Phineas Bradley, one of the late assistant postmaster general,

who called to his assistance his brother, Abraham Bradley, the other late assistant postmaster general, to aid them in their investigations. It was supposed, that the long experience of these gentlemen in the department, would enable them to prosecute some branches of the inquiry with more facility and success than could otherwise be done. The report of the result of their inquiries has been furnished the committee, and in comparing it with the reports of the department, we discover a considerable discrepancy, for which we can readily account.

The Messrs. Bradleys observed in their report that the postmaster general reported, in November, 1829, that the whole length of post roads was 115,000 miles; in 1830, he reported them to be 115,176 miles; in 1832, he reported them to be only 104,467 miles; and in 1833, he reported them to be 119,916 miles.

The facts appear to be as follows: the late postmaster general, in his last report, November, 1828, reported the length of post roads to be 114,536 miles. This must have embraced the new routes which had been established by the law of the preceding congress, as it exhibited an increase of 9,200 miles greater than the statistical account of the department showed for the preceding year.

The present postmaster general, in his first report of November, 1829, assumed the last report of his predecessor as the basis of his statement. He did not question its correctness. He had estimated an addition of between four and five hundred miles in putting into operation a few additional routes within the year; making the total amount 115,000 miles. In 1830, he predicated his report on the same presumption, that the last report of the late postmaster general was correct, and reported an increase of 176 miles, which had been added by the establishment of a few routes, to furnish the seats of justice to some new counties, which had been established in some of the states within that period; and by varying some of the old routes, so as to increase their distance, for the purpose of giving a mail to new settlements, or growing neighborhoods. This gave the number of 115,176 miles in 1830. In the mean time, he had caused route books to be made, in which the names of the several offices on each route are given, the distance one from another, and the total length of each route; the length having been ascertained from the postmasters on each route, in consequence of circulars addressed to them by the postmaster general. In 1832, he took the sum total of all these routes from the route books, showing the whole length of all the post roads to be only 104,467 miles. The discrepancies which they (the Messrs. Bradleys), speak of, appear to have been occasioned by the estimate which had been made in the report of the late postmaster general; and the diminution from 115,176 to 104,467, is produced by the present postmaster general's correction, in giving the true amount of mail transportation, ascertained in the manner heretofore stated. The route books are in the department open to inspection, and if any errors exist in them, they are subject to correction. Between the report of 1832 and that of 1833, the new routes established by the law of 1832 were brought into operation, which added more than 15,000 miles to the length of post roads, and increased the total amount to 119,916 miles. The Messrs. Bradleys state they have endeavored to ascertain the length of post roads in seven states and one territory, by examining the advertisements for proposals, and when the distances are not advertised, by measuring the distances on the map; and in the result they have found a difference, or what they assert to be an error, of 4,195 miles. This is what might have been expected, when comparing their imperfect and uncertain method of calculating, with the correct method of the department. They do not inform us what states and territory they took, nor whether they included the new routes which went into operation in 1833; nor do they furnish us with any detail of the route, with the length of each as the department has done. We have been furnished by the department with a detail of all the routes, and the length of each, which certainly is the most satisfactory statement that can be given; but the Messrs. Bradleys state, that in seven states and one territory, they have found an error, without pretending to have examined the whole of the several routes in detail as stated on the route-books, and without pointing out where the error lies. Every route in those states, and that territory, which may have been subsequently established, or which is not included in the advertisement which they examined, must have been excluded from their calculation; and their admeasurement on the map, must have been exceedingly imperfect, while the data on which the report of the postmaster general is founded, is clear and unexceptionable.

They next proceed to show that the increase in the transportation of the mail has not been so great as reported by the postmaster general. They state that, by the last report of the late postmaster general, the annual transportation of the mail was shown to be 13,709,039 miles. On reference to that report of 17th November, 1828, we find him to say, that on the first of July, 1823, the transportation of the mail was,

In stages,	4,489,744 miles.
On horseback,	5,511,496 "
Since that time, there has been added,	
In stages,	1,949,850 "
On horseback,	1,658,940 "

We find, by the addition of these sums that the mail transported in 1828, 13,610,039 miles, and not, as they state, 13,709,039 miles.

This was taken by the postmaster general as the basis on which he calculated the increase of 1829, '30 and '31. The document before referred to, (marked 5), gives a statement of the length of each route, with the manner and frequency of transportation, showing the annual amount of transportation on each route. The sum total of these different routes, as they stood on the 1st of July, 1832, is 23,632,330 miles, the annual amount of the transportation of the mail at that time. The increase between that time and the 1st of July, 1833, occasioned by putting the new routes into operation, and by many improvements on the old routes, is stated to have amounted to upwards of three millions; making the total annual amount of transportation on the 1st of July, 1833, equal to 26,854,485 miles. To disprove the correctness of this statement, the Messrs. Bradleys report that they have examined the advertisements, and calculated from them the annual amount of transportation, and to this added the amount stated in the report of the extra allowances, made to the senate on the 3d of March last, which they assume to be the total amount of annual transportation. The incorrectness of their method must be obvious to every person who will make but a slight examination of the subject. Besides the inaccuracy of their distances, especially such as they ascertain by measuring the map, there are, and always have been, mail routes in operation, which are not in the advertisements. Some will be omitted in the advertisements by accident. Some additional routes will every year be required to supply new county seats of justice. But what will make a much greater difference is, that the advertisements invite proposals for improvements, such as running more frequently, extending routes to greater lengths, and other services to increase the transportation of the mail; also, the greater portion of steamboat routes are not advertised. The improved bids are frequently accepted, by means of which great alterations are made between the advertisements and the contracts, which will not be brought into view, either by examining the advertisement, or the report of extra allowances; because they are not contained either in the one or the other. Routes are sometimes advertised to run but once a week, and are contracted for to run three times a week. They are sometimes advertised to run three times a week, and are contracted for to run daily. They are sometimes advertised to run daily, and are contracted for to run twice a day. So, we find the route from New York to Philadelphia was advertised to run once a day; but the contract was made for it to run twice a day. The route from Philadelphia to Pittsburgh was advertised to run once a day; but the contract was made for it to run twice a day. The route from Philadelphia to Pottsville was advertised to run once a day; but the contract was made for it to run twice a day. The route from Reading to Harrisburgh was advertised to run once a day; but the contract was made to run twice a day. The contracts for these four routes alone provide for the annual transportation of the mail 338,360 miles more than what could be embraced in the estimate of the Messrs. Bradleys. They are not in the advertisement, for they are covered by improved bids; and they are not contained in the report of extra allowances, because they are provided for in the original contract. Thus it appears, that the report of the Messrs. Bradleys must be very erroneous; but the document furnished by the department, showing the whole in detail, is so perfectly clear, that it presents no difficulty; and if there exists in the calculation a single error, it furnishes the data by which it may be detected.

In their report, the Messrs. Bradleys complain that they had not access to the archives of the department. On this point, we are not aware of any just cause for complaint. The postmaster general did refuse to suffer the books and documents of his department to go out of the hands of those by whom they are ordinarily kept, except they were in charge of the committee, or some member of it; but he always showed the greatest readiness to provide the committee, or any one of its members, so far as our knowledge extends, with any and every part of the archives of his office, whenever called for. He offered them a room in his office, which the committee accepted; and whenever any member of the committee was present, he always permitted the books and documents to be taken into that room, and there examined at pleasure, with or without the presence of any of the officers of the department, by the Messrs. Bradleys, or by any other person whom the committee thought proper to employ.

In the whole course of the investigation, the inquiry whether any gift, or gratuity, or favor, had been received by any officer of the department, from any contractor, (which might warrant the conclusion, that it might have had any effect upon the public conduct of the officer), was never lost sight of; and the result in our minds was, that nothing appeared which would justify a suspicion unfavorable to the department or any of its officers.

It was suggested to the committee, that the postmaster general had been furnished with money by contractors to whom extra allowances had been made. The committee subpoenaed and brought before them all the contractors who were supposed to have any knowledge of the transaction referred to: and from all the testimony it appeared, that col. R. M. Johnson had been bound as surety or endorser for maj. Barry—that when payment was demanded, it was not convenient for either of them to raise the money—that col. Johnson, without the agency or knowledge of maj. Barry, procured the sum of fifteen hundred dollars on a temporary loan from a friend of his, who was a contractor—that this friend, in making up the sum required,

was aided, to the amount of 500 dollars, by another contractor—that maj. Barry, some time afterwards, paid the money to col. Johnson, who repaid it to the person from whom he had received it. The contractor swears that it was never a subject of conversation between him and the postmaster general; nor did he, in consideration of it, ever receive any favor or indulgence whatever. As the whole of this transaction appears to have been without the agency or knowledge of the postmaster general, it cannot furnish ground for suspicion of any thing wrong on his part.

The committee deemed it their duty to investigate every case, when it was known that a member of the department had had any dealings with a contractor, especially if the least intimation was given of a suspicion of any thing improper. A letter was received by the committee from a citizen of Pennsylvania, charging upon hearsay evidence, that of an extra allowance of 10,000 dollars on the contract of Reeside & Slaymaker, in which Mr. Tomlinson was also interested; Messrs. Reeside, Slaymaker and Tomlinson, received each 3,000 dollars, and that the other 1,000 had been retained by Mr. Brown, the chief clerk of the department. We, therefore, took testimony of all the witnesses to whom we had been referred in said letter; and the charge was not sustained by evidence, but was fully disproved. A loan of money was made by Messrs. Slaymaker and Reeside to Mr. Brown, which had been in part repaid, and part remains still unpaid; but it appears, on the clearest testimony, to be a loan of money on interest, and does not furnish ground for suspicion of any thing improper. It also appeared that Mr. Brown had, sometime before this loan, made a loan on interest to Mr. Porter, a contractor, of several thousand dollars; and afterwards made an additional loan to Mr. Porter. If it should seem extraordinary, that he should borrow money on interest, while he had money loaned out to him, the explanation is found in the circumstance, that he acted as the agent of the late doctor Jackson, and had received his money to the amount of several thousand dollars before his death; that he has continued to act as the agent for his widow and his orphan children, and has been in the habit of receiving their money to the present time, which he keeps at interest, as a distinct fund for their benefit; and that it was of this fund that he made the loan to Mr. Porter; but that the money which he borrowed, was to purchase property for his own individual benefit. There are all transactions of a private character, having no relation to official conduct; but, as they were brought to view in the course of the examination of witnesses, we have thought it proper to state them, for the purpose of showing that every thing which might, by possibility, have a connexion with official relations, has been carefully scrutinized. There is nothing substantiated in the transaction in relation to Mr. Brown, which can justify a suspicion of impropriety.

James Reeside, is a contractor for carrying the mail on many different routes, and to a very great extent. In most of the contracts which bear his name, he is associated with others who are very largely interested with him. The committee have inquired into all his existing contracts. On all the routes in which he is interested, the mail is carried in stages or in steamboats; and their extent is 1,932 miles in length, which is more than all the post roads in the United States amounted to in 1791. On these routes the mail is transported annually, 1,743,910 miles. For this service, the present compensation is \$119,810 per year, equal to six cents and eight-tenths of a cent per mile. On 90 miles of these roads, the mail is transported three times a day; on 526 miles twice a day; on 881 miles daily; and on 435 miles, three times a week. If, where it is transported more than once a day, he should be allowed no compensation for the service, beyond once a day, the compensation would amount to nine cents and seven-tenths of a cent per mile. We have also compared the compensation which Mr. Reeside now receives, with what he received under his contracts made in 1827, under the late postmaster general. It appears that he then transported the mail 392,194 miles per annum, at an annual compensation of \$13,732 68, equal to eleven cents and two-tenths of a cent per mile. Under those contracts the mail was transported over 573 miles of post road, on 90 miles of which it was carried twice a day for six days in each week. If in that case there had been no compensation allowed for the service beyond once a day, the compensation would amount to thirteen cents per mile. We pursued these investigations to ascertain whether there is any ground for suspicion, that special favors have been extended to Mr. Reeside under the present administration of that department; and it does not appear that the slightest ground for such suspicion exists. He performs the service at a much lower rate than under the former administration, and it does not appear that he has ever received compensation, but for services rendered fully equivalent to the same.

An investigation was instituted before the committee, to ascertain whether he, Mr. Reeside, had not afforded to the postmaster general such pecuniary aid, from which an inference might be drawn, that he might thereby become the object of special favor with the department. Upon an examination into this subject, it appeared that the family of the postmaster general was in Philadelphia, and had been there for some time, attending to his sick son, who was under the care of a physician at that place. That the postmaster general, when on a visit to his family in Philadelphia, concluded to remove his family, including his son, from that place, at an earlier period than had been intended, and to enable him to discharge the demands

against him, obtained from Mr. Reeside 1,000 dollars, upon an acceptance of short date, which was paid when it fell due. From this transaction, we are wholly unwilling to draw any unfavorable inference. In it we can discern nothing but the performance of a kind office, for which praise, rather than censure is due.

The committee examined carefully into all cases where complaints were made, or where any suspicion was intimated of favoritism having been extended by the department to any contractor, or of any improper exercise of the discretion of the postmaster general in granting allowances. Every such case became the subject of rigid scrutiny; and not a single instance of alleged abuse has been omitted by the committee.

The route between Baltimore, Md. and Chambersburg, Pa. 77 miles, on which Jas. Reeside is contractor, was among those which were examined by the committee. It appeared that the proposal of James Reeside to transport the mail on this route, was accepted at 1,900 dollars a year; and that under his contract he received at the rate of 3,495 dollars a year from the commencement of the service under his contract, January 1, 1833, till the 31st December, 1833, when it was reduced to 1,900 dollars. On investigation, it was found that his proposal contained two propositions, the first to carry the mail daily, in four-horse post coaches, as advertised, which was to leave Baltimore daily, at 4 A. M. and arrive at Chambersburg the same day at 9 P. M. 17 hours: leave Chambersburg every day at 2 A. M. and arrive at Baltimore the same day by 8 P. M. 18 hours; and to perform the service for 1,900 dollars per annum. The other proposition was, to leave Baltimore daily, after the arrival of the steamboat from Philadelphia, and arrive at Chambersburg same day, in time to connect with the mails from Philadelphia to Pittsburgh, for the annual compensation of 3,485 dollars. The steamboat at that time left Philadelphia in the afternoon, and arrived at Baltimore at an early hour the next morning; and the mail from Philadelphia for Pittsburgh, passed through Chambersburg about six o'clock in the afternoon. The last proposition required a very considerable increase of expedition, and would gain an entire day between Baltimore and Pittsburgh, of which this route is a part. The proposal of James Reeside was the only one offered for the route, and was accepted on the first proposition at 1,900 dollars. The acceptance was made in October, 1831, the contract to take effect from the 1st day of January following. On the 29th of December, 1831, the postmaster general appears to have directed him to perform the service stipulated in his proposition for 3,495 dollars; and there is endorsed on the contract in the hand writing of Thomas B. Addison, the clerk employed in preparing and filing contracts, "alteration made this 29th December, 1831." Some of the members of the committee were induced to suspect that this endorsement had been made at a recent date; but on the examination on oath of three clerks, Mr. Addison, by whom the endorsement was made; Mr. Dundas, who was then the corresponding clerk for this division; and Mr. Childs who is the present corresponding clerk of this division; the fact was clearly established, that the endorsement is not of recent date, but was made at the time of the date which it bears.

The route from Hagerstown, Md. to McConnellsburgh, Pa. on which Mr. Reeside is contractor, was also a subject of examination. The distance is stated to be 26 miles, and it was advertised to run three times a week in four-horse post coaches. For this route there was several proposals, the lowest of which was 250 dollars, (a sum wholly inadequate to the service) except that of Mr. Reeside, which was as follows: "We do agree to carry the mail on route No. 1,231, from Hagerstown to McConnellsburgh, via Welch Run and Mercersburgh, as advertised, for the yearly compensation of 40 dollars, or we will carry the same so as to connect the mail at each place, with the great eastern and western mails, daily, in four-horse post coaches, for the yearly compensation of ninety-nine dollars, ninety-nine dollars." This bid was accepted, and the contract appears to have been immediately filled at 40 dollars, and put into the hands of Mr. Reeside to be executed. It is alleged both by Mr. Reeside and the postmaster general, that Mr. Reeside stated verbally to the postmaster general, after the route had been assigned to him, and before the commencement of the service, that there was a mistake in his proposal; that the person who wrote out his proposal for him, must have mistaken his figures, and filled it with sums for which he never intended to perform the service. He alleged that the words "daily in four-horse post coaches," as used in his bid, were intended by him to apply equally to both propositions, that he intended to propose nothing less than a daily mail; but to perform the service agreeably to the schedule advertised, for fourteen hundred dollars; or to give such increased expedition as would perfect the connexions, for nineteen hundred and ninety-nine dollars. That the inconsiderable sums named would show that there must have been a mistake, and that the writing of the words "ninety-nine dollars, ninety-nine dollars," with this repetition, made it obvious that there must have been an error. The postmaster general informed him in answer to this statement, that as the route was intended to connect two daily routes, it would be necessary for him to run it daily; and that the question for correcting the alleged error in writing the proposal, should be a subject for future consideration. There is on the files of the department, a paper which appears to have been written after the service commenced, of which the following is a copy:

"Mr. Reeside says that the bid was put in by mistake, as will appear from the small sum. He intended to have made it \$1,400, and to run daily, and so marked with his pencil; but the clerk who copied it for him, mistook his pencil mark, supposing the 1 was belonging to his dollar sign, and the 0 at the right hand he overlooked, or considered it merely a point. The postmaster general gave him a verbal order to run daily, and reserved for consideration the correction of the error. He has run, from the beginning of the year, daily. Shall he be allowed to correct the error, and receive \$1,400? His distance is increased 10 miles. No other bid."

On this statement is written, in the hand-writing of the postmaster general, "granted." Such are the facts in this case. It is stated by the postmaster general, that the increase of distance was occasioned by his going by way of Greencastle, five miles each way, which increased his daily travel ten miles. That the words "no other bid," are erroneous; and that the error must have arisen from the circumstance, that three other proposals of Mr. Reeside were written on the same paper with this, to neither of which was there any other bid than his; and that it must have been under the impression that this was one of them, that this part of the note was made. The allowance of \$1,400 was made him for running it daily, with the increased distance of five miles each way, till the close of the last year, when it was reduced to a tri-weekly mail, and the compensation reduced to \$700. This is \$150 a year more than the lowest bid, but with an increase of five miles distance each way, and to be performed in the same time that would have been allowed with the increased distance. The postmaster general further states, that as soon as he discovered the fact (which was not until this investigation commenced) that there were other bids on the route, he informed the contractor that the amount of the allowance would be a subject of reconsideration; and that it would be regulated according to the other proposals, and to take effect from the beginning of the contract.

The full amount of allowance is far from what appears extravagant when compared with what is paid for equal services on other routes; and if, when compared with the proposals of other responsible bidders on the same route, the allowance shall appear to be greater than what the contractor is fairly entitled to, the postmaster general has the power, as he has declared his intention, to reduce it to the proper amount.

The contract made by the department with Dr. John T. Temple, for transporting the mail between Chicago, Illinois and Green Bay, in the territory of Michigan, has also been a subject of investigation. It appears that Doctor Temple was formerly a clerk in the general post office, and that he resigned his situation as such about the first of March, 1833, to take effect from the close of that month. The route from Chicago to Green Bay was established by the law of 1832; but in advertising the routes established by that law, this route was omitted, and one which had not been provided by law, from Detroit, by Mackinac, to Green Bay, was advertised. This error appears to have arisen from the circumstance that the person who prepared the advertisement had not the means of referring to the law as it finally passed, it having been necessary to prepare the advertisements before the law was published.

The proposals, however, were received by the department for transporting the mail on the route from Chicago to Green Bay. One by Alexander Irwin and John P. Arndt, to carry the mail once in two weeks for \$3,000 a year, from the 1st January, 1833, for the period of three years. Their proposal is dated "Green Bay, September 5, 1832." The other was by Asahel Savery, of White Pigeon, who was then present at the department, dated 10th November, 1832, proposing to carry the mail once in two weeks for 3,000 dollars a year, from the 1st April, 1833, to the 31st December, 1833; or, if the postmaster general should require it to be carried once a week, he proposed to perform the service for the additional sum of 500 dollars a year. Col. Savery was already the contractor for carrying the mail from Detroit to Chicago, and his proposal was accepted to transport the mail between Chicago and Green Bay, once a week, from the 1st April, 1833, for the yearly compensation of 3,500 dollars. On the 19th of January, 1833, Col. Savery addressed a letter to the postmaster general, stating, that as the route had not been advertised, he had not travelled over it preparatory to making his bid, but had supposed the distance to be but two hundred miles, over a prairie country, unobstructed by difficult streams of water; but he had since learned that the distance was two hundred and fifty miles, principally through uninhabited woodlands, interrupted by several water courses, which would require him to keep boats to enable him to perform the service. He, therefore, earnestly requested the postmaster general to add a thousand or fifteen hundred dollars to his annual allowance, as a matter of equity. He proposed to submit the subject to governor Cass, who, he supposed, had travelled over the route. The matter was accordingly referred to governor Cass; but he returned it to the department without giving an opinion, having never travelled over the route. The contract was made on the 22d of February with Col. Savery for 4,500 dollars a year, to commence the first of April following. On the 28th of February, one week after the contract was made, it was assigned by Savery to John T. Temple, and the assignment approved by the postmaster general.

The other proposal was for 3,000 dollars, once in two weeks. Had it been accepted, the postmaster general could not have required them to have increased to once a week for less than 6,000 dollars. The contract was made with Savery, once a

week, for 4,500 dollars. Dr. Temple had determined to resign his situation as a clerk in the general post office, and to remove to Chicago, and did actually resign and leave the department for Chicago, before the contract commenced. It appears that he had desired to obtain this contract before he left the department, and had received a promise of Savery to transfer it to him in case he should obtain it; but it does not appear that this was known to the postmaster general, or to any person in the department having any agency in making the contract with Savery; nor does it appear that the hope or expectation of Doctor Temple to obtain this contract, had any influence whatever in the giving it to col. Savery, or in regulating the compensation to be allowed for the service. Notwithstanding this, it would be highly proper that there should be a legal prohibition against any person engaged in the department becoming interested in mail contracts, or acting as agents for contractors in any manner whatever.

The contract for transporting the mail on the route between Bellefonte and Meadville, in Pennsylvania, has also been examined. This was formerly a two-horse stage line, under contract to Hays and Bennett, to be performed three times a week, through in two and a half days, at 2,700 dollars a year. Their contract expired on the 31st December, 1831. In June, 1831, the route was advertised for proposals to renew it in the same way; that is, in two-horse stages, three times a week; the trip to be performed each way in two days and a half. John and Benjamin Bennett proposed to perform the service through in two days, in four-horse post coaches, for 3,500 dollars a year. There were two other proposals received for this, both to run as advertised, viz: E. Platt & Co. for 1,980 dollars a year, and Moore, Lebs & Co. for 2,450 dollars a year. The bid of Platt & Co. was accepted. This route constitutes a part of the most direct line from Philadelphia and Harrisburgh to Erie, the northern part of Ohio and Michigan. The lines with which it connects at both ends, are four-horse coach lines. There were many applications to the postmaster general from persons of the highest intelligence and respectability, calling for the improvement of this into a four-horse post coach line. The postmaster general at length determined so to improve it. Fifty per cent. on a two-horse stage line, is estimated by the department as the *pro rata* increase for improvement to a four-horse coach line. The proposal, therefore of Mr. Bennett, was lower than any other, except that of Platt & Co. But Platt & Co. voluntarily withdrew their proposal, as appears from documents on file in the general post office; and there appears to have been good reason why the postmaster general should have permitted them to do so. The proposal of Mr. Bennett was then accepted, and a contract made with them to perform the service three times a week in four horse post coaches. They also stipulated to run through each way in two days, instead of two days and a half. Their contract is dated October 15th, 1831, but it does not appear to have been signed by them till the 29th March, 1832. On the contracts, the following note appears: "On account of unusual freshets and destruction of bridges; that is, Sugar creek bridge, Franklin bridge, with material other changes on the road since the 15th October, 1831, to the 29th March, 1832, we agree to run the mail in two days and a half each way from Bellefonte to Meadville, and back, and in its understood that as soon as the bridges are rebuilt, we shall adopt the foregoing schedule mentioned on the within contract. No delay will be occasioned at Meadville, in consequence of the last mentioned schedule."

"The above statement is just and true."

"DANIEL ANDREWS, P. M."

In consequence of this statement, certified by the postmaster at Meadville, they were permitted to take the additional time, two and a half instead of two days, while the bridges were gone, and the roads out of repair. It is stated at the department, that the contractors claimed additional compensation, in consequence of the increased distance and expense to which they were subjected by the loss of the bridges and injury of the roads; but this was denied them. The additional time, however, seems to have been very properly allowed. John Bennett has since deceased, and Benjamin Bennett is fulfilling the contract.

Avery, Tompkins and Saltmarsh, are contractors for transporting the mail on several routes; among which are the routes from Petersburg, Va. by Warrenton, N. C. and Raleigh, to Fayetteville, 203 miles, constituting a part of the main daily line between the northern and southern states, to New Orleans. These routes are involved in their contract with other routes, which do not belong to the main southern mail line, at a round sum for the whole, without defining the proposition which belongs to each route.

One of their contracts is for running four times a week, in four-horse post coaches, between Petersburg and Warrenton, 85 miles; for running four times a week between Warrenton and Raleigh, 57 miles, in four-horse post coaches; for running daily between Raleigh and Fayetteville, 61 miles, in four-horse post coaches; for running three times a week between Halifax and Raleigh, 86 miles, in four-horse post coaches; and for the whole of these five routes, they were to receive 24,000 dollars a year. Another is for running three times a week between Nashville and Tarborough, N. C. 28 miles, in two horse stages, at 450 dollars a year; and for running once a week on horseback, between Enfield and Tarborough, 24 miles, at 70 dollars a year. These contracts all bear date October 20, 1830; to commence January 1, 1831, and to continue four years.

From the first of the above routes they were required to run a cross mail, diverging from the main route at Diamond Grove, nine miles, to Cholsenville, for which an additional allowance was made of 150 dollars a year.

The routes from Petersburg to Warrenton, and from Warrenton to Raleigh, 142 miles, were afterwards directed to be run daily, instead of four times a week, and to be so expedited as to gain a half of an hour each way. The route from Nashville to Tarborough, 28 miles, was directed to be run in four-horse post coaches, instead of two-horse stages. The route from Enfield to Tarborough, 24 miles, was directed to be performed three times a week in four horse post coaches, instead of once a week on horseback. For these several improvements, the contractors were allowed an additional compensation at the rate of 9,000 dollars a year. Whether this allowance was greater than what law and equity would warrant, is a proper subject of inquiry; a *pro rata* allowance for three additional trips per week between Petersburg and Raleigh, via Warrenton, provided no more is allowed for carrying the great mail on the main line than for collateral mail lines, would amount to about 7,000 dollars—without increase of expedition. This would leave 2,000 dollars applicable to the improvement of the route from Nashville to Tarborough, 28 miles, from a two-horse stage, to a four-horse post coach line, and for the establishment of a four-horse post coach line three times a week from Enfield to Tarborough, 24 miles, instead of a horse mail once a week, and for the increase of expedition. There is no rule by which a *pro rata* can be established between a horse route and a coach route, nor for an increase of expedition. The contractors furnished satisfactory evidence to the department that the improvement increased their expense equal to the allowance which was made, and there is no cause to doubt it.

From the 1st of April, 1832, it was deemed advisable by the postmaster general to give such further expedition to the great southern mail as to bring it in to Washington at nine o'clock at night, instead of five the next morning, so as to connect it with the morning, instead of the afternoon steamboat at Baltimore for Philadelphia; in doing this, the contractors were required so to expedite as to gain one hour between Fayetteville and Petersburg. In the second section of their contract it was stipulated, that the postmaster general may alter the times of arrival and departure fixed by said schedule, and alter the route; he making an adequate compensation for any extra expense which may be occasioned thereby. In conformity with this stipulation, the increased expedition was ordered. The contractors furnished evidence to show that it required two additional teams, or eight horses and two drivers, and that the expense amounted to 2,000 dollars. This sum was therefore allowed them by the postmaster general, and it appears to have been no more than justice and the terms of their contract required.

The road between Petersburg and Raleigh, 142 miles, is stated to be unusually bad during the winter season; and the great weight to which the mails have grown, rendered it impracticable for it to be carried through in proper time in coaches. To secure its regular and rapid transportation, the contractors, from December, 1832, established a line of covered wagons, in which the great mail was carried, to run daily during the winter, so as entirely to exclude passengers; and in addition to this, they ran a line of coaches three times a week by which the intermediate and smaller offices might be supplied with the mail. This was running ten times instead of seven times a week. For this service the postmaster general allowed them 2,500 dollars. The service appears to have been important to keep up without interruption the regular communication between the north and the south during the winter when these roads are said to be extremely difficult to pass. Evidence satisfactory to the postmaster general is filed in the department to show that the allowance made was but a reasonable equivalent for the expense to which the service subjected the contractors.

A contract was made with Jas. F. Robinson, dated 15th October, 1831, to transport the mail January, 1, 1832, to December 31, 1835, between Cincinnati, Ohio, and Georgetown, Kentucky, 72 miles daily, in four horse post coaches, for 1,000 dollars a year. After this contract was made, and before the service under it commenced, such increased expedition was given to the western mail as to carry it from Washington city, and from Baltimore to Cincinnati, in two days less than under the former contracts, and so arrive at Cincinnati at 6 o'clock in the evening. To give to Kentucky the full benefit of this expedition, it was deemed necessary to direct the contractor on this route, to leave Cincinnati every night after the arrival and distribution of the mail from the east, at 7 o'clock, and arrive at Georgetown the next morning by 7 o'clock so as to connect with the mail to Louisville. He was therefore directed, on the 29th December, 1831, to run through in 12 hours, instead of 14 hours, his contract time. The schedule in the original contract was to leave Cincinnati at 4 o'clock in the morning, and arrive at Georgetown by 6 o'clock in the evening; leave Georgetown at 6 in the morning, and arrive at Cincinnati by 7 in the evening, giving 14 hours each way, and the day time for running. The alteration gave but 12 hours each way, and the night instead of the day for running. The contractor alleged that this increased expedition added to the difficulty of running in the night instead of the day, subjected him to an additional expense of \$4,800 a year, and claimed that sum as an extra compensation for the service. The second article of the contract stipulates, that the postmaster general may alter the times of arrival

and departure, and alter the contract, he receiving an adequate compensation for any extra expense that may be occasioned thereby. He did not reject the claim, but refused to make any allowance until satisfactory evidence should be produced of the amount of such extra expense. He therefore named two experienced stage proprietors in that state, John Hutchins and J. G. Chiles, and proposed to refer to them the decision of what was the extra expense, the postmaster general still reserving to himself the right of determining what was equitable, after receiving their certificate. These gentlemen certified that the increased expedition required four additional teams of four horses each, and two coaches—that the annual expense of the four teams was fairly estimated at \$200, making \$4,200; and the two additional coaches at \$200, making an additional expense of \$3,500 per annum. The postmaster general was still unwilling to allow a large sum; but three other citizens, Miles W. Dickey, Robert W. Ewing and John Dudley, certified that \$4,000 a year would be but a moderate and reasonable compensation for the service. The postmaster general, upon these testimonials, made him an additional allowance of \$3,000 a year. When it is considered, that in a contract like this, the contractor depends mainly upon his passengers to defray the expense of his performance, especially when the times of running are such as will be most accommodating to passengers, as was the case originally in this contract, and when the postmaster general shall afterwards give an order, the fulfillment of which shall greatly increase the expense, without any increase of profit from the passengers, but rather tending to diminish their number, it seems reasonable that such increased expense should be borne by the department. This principle is also recognized in the contract which provides that the postmaster general shall make an adequate compensation for such extra expense. The allowance then is but the fulfillment of a stipulation in the original contract; and in this case, it appears to be just and equitable.

Josiah Horton swears, that in 1832, he, with Wm. Lewis and Thomas Lindsay, ran a line of stages on the road from Frederick to Hagerstown, in Maryland, at the time when the articles of agreement referred to in Mr. Brown's statement, were entered into between the Pennsylvania and national road companies—that that agreement contained an article tending to injure him by driving him off the road; and that he learned from Mr. Carter and Mr. Tomlinson, that Mr. Brown received fifty dollars of Mr. Carter for the part he had taken in bringing about that agreement. For the part which Mr. Brown took, we refer to his statement on oath, by which it appears that he was not the author of the articles of agreement, nor were they dictated by him—that he was only the means of bringing the parties together, and urging the necessity of an adjustment of their differences, and that he wrote articles for them after the parties had agreed upon the terms; and that what he received from one of the companies was on account of the expense which he had incurred in performing a journey to Pittsburgh and Wheeling, for the purpose of effecting an agreement between his friends. Mr. Horton was not a mail contractor, nor did he carry a mail in the stages which he was running. It was rather an opposition line to Mr. Stockton, the contractor. If an agreement between the companies, who were contractors, operated to the detriment of an opposition line upon either of their roads, we do not conceive it to be a proper subject of interference, either by the department or any other branch of the government. Every citizen has a lawful right to run a line of stages upon any highway, at his pleasure; and the proprietors of other lines, in making their arrangements for passengers, are under no obligation in law to guard his interest. But as this is a matter which has no reference to the transportation of the mail, but passengers only, and that in stages which do not carry the mail, nor bear any relation to the department, it is not a proper subject of inquiry or interference on our part. There was nothing official in the transaction, nor any thing over which either the department or congress could exercise any control.

Mr. Horton also swears that he has been endeavoring for four years past to get contracts from the department, but he has not been able to succeed; that he has been the lowest bidder, he believes, a dozen times, yet the contracts are always given to others. He instances two cases—One is, that he proposed to carry the mail between Washington and Winchester, via Leesburgh, for \$1,300, but the contract was given to Mr. Stockton at \$2,300.

We have examined this case, and find the facts to be as follows: The route from Washington city, by Leesburgh, to Winchester, 70 miles, and from Fairfax Court House, to Winchester, 56 miles, both three times a week, in four-horse post coaches, were proposed to be taken by Messrs. Stockton & Stokes, in 1830, at \$4,000 for the two routes, with the improvement on the former to run six times a week, for half of each year, between Washington and Leesburgh, and to run three times a week between Alexandria and Leesburgh and to extend an afternoon mail six times a week from Washington to Baltimore, so as to deliver the Leesburgh mail in Baltimore the same day it leaves Leesburgh, instead of suffering it to be detained in Washington until the next day.

Mr. Horton's bid on the route from Washington by Leesburgh to Winchester, was for \$1,370 a year, and the lowest bid on the route from Fairfax Court House, to Winchester was \$1,800. If Mr. Horton's bid had been accepted on the one route, and the lowest bid on the other route, then the two routes would have cost the department \$3,175 a year. Mr.

Stockton was already the contractor on the route, and his bid at \$4,000 for the two routes, with the improvements, was accepted. The difference was \$235 a year; and for that sum the department received, by this acceptance, the additional service of three mails a week, in four-horse post coaches, between Washington and Leesburgh, and six afternoon mails a week between Washington and Baltimore, by which the mails from Winchester and Leesburgh, and other places in the northern part of Virginia, were delivered in Baltimore the evening of their arrival in Washington, instead of being detained till the next day, and facilities of an afternoon mail to Baltimore given to the citizens of Washington, Georgetown and Alexandria. The postmaster general considered this the best bid, and therefore accepted it.

The other case which he instances is that of the route between Washington city and Lynchburgh, Virginia, 200 miles. He alleges that his bid was lower than that of Mr. Smith by \$1,500, as he believes; yet Mr. Smith obtained the contract. The facts appear to be as follows: William Smith, of Virginia, had, about a year before the advertising of this route, in 1830, the period to which Horton's affidavit refers, established a line of four-horse post coaches, to run three times a week on the whole route between Washington and Lynchburgh. When, in 1830, the advertisement was issued for proposals for the whole of the southern section, Mr. Smith proposed to renew his contract on this route at \$6,000 a year, for four years, from the 1st of January, 1831. Mr. Horton proposed to take the contract at \$5,450 a year, as appears by the proposal books, making a difference of 550 dollars a year, and not 1,500, as Mr. Horton supposed. Mr. Smith also proposed, without any further compensation, to furnish the mail with guards, if, at any time it should become necessary on this route, as it had on several other routes. He also bound himself to make such provision for passengers on the route from Winchester, connecting with this at Fairfax Court House, as would supercede the necessity of extending that route from Fairfax Court House to Alexandria, 14 miles. The postmaster general considered Mr. Smith's bid the most eligible of the two, if he had only regarded the improvements. But there were other considerations before him. It is usual to give a preference to old contractors, when they are known to be faithful. Mr. Smith was the former contractor on this route, and, as such, was very favorably known to the department. Mr. Horton does not appear to have been favorably known to the department. The present postmaster general had been but a little more than a year in office, and for a knowledge of the character of contractors, he, of course, referred to the testimonials left in the department by his predecessor. From them he does not appear to have found any thing favorable respecting Mr. Horton. It appears that in the fall of 1828, when the last letters were made under Mr. McLean, Josiah Horton & Co. proposed to carry the mail daily, in stages between Boston and Providence, 42 miles, for 690 dollars a year. Under the record of this proposal is written, in the hand writing of the late postmaster general, the following notes: "The persons associated with Mr. Horton not being made known to the department, and as there is a considerable amount of property on this route, which, by the rules of this department, must be purchased by the under bidder, it is believed that he does not possess the means to purchase the same. The bid of the contractors is, therefore, accepted as above." Against the names of Gay & Homer, above, is also written, in the handwriting of Mr. McLean, "accepted at 2,000." Thus, it appears, he was not accepted by the late postmaster for a daily mail, 42 miles, but another proposal was accepted at nearly three times the amount of Mr. Horton's. We should, under all these circumstances, conclude that the acceptance of Mr. Smith's proposal, in preference to that of Mr. Horton, for a route of 200 miles in length, was judicious and proper.

The contracts with gen. George House, of Ohio, have also been the subjects of investigation. He was under contract with the late postmaster general, for transporting the mail, once a week, between Gallipolis, Ohio, and Chillicothe, 62 miles, in two-horse stages, from January 1, 1828, to December 31, 1831, at \$600 a year. From the 1st November, 1829, he was allowed, by the present postmaster general, an additional sum of \$600 a year, for running a week in four-horse post coaches. John Black was contractor for carrying the mail between Gallipolis and Coalsmouth, Va. twice a week, on horseback, from January 1, 1831, for \$394 a year. In the spring of 1831, George House appears to have contemplated the establishment of a steamboat line from Gallipolis across the Ohio river, and up the Kanawha to Coalsmouth, Va. 50 miles, where it would connect with the stage route from Fredericksburgh, by Charlottesville, Staunton and Guyandotte, to Cattertsburgh, in Kentucky; and for the purpose of having the mail carried by steamboats, House was directed to extend his mail route from Gallipolis, from April, 1831, which superseded the contract of Black. He did not succeed with his steamboat, but carried the mail on horseback, for which he received no more compensation than Black was entitled to under his contract. The contract of House expired on the 31st of December, 1831, and in the summer of 1831, when the routes in that quarter were advertised to run three times a week, in four horse post coaches. The proposal of gen. House was, to extend to Kanawha Court House, 62 miles, which would double the distance, and to carry the mail in steamboats, between Gallipolis and Kanawha Court House, for \$3,600 a year. His proposal was rejected, and that of A. L. Ross & Co. accepted, at \$1,100 a year, to run from Chillicothe to Gallipolis, 60 miles, and to run through in 30 hours. Though gen. House



has not succeeded with his steamboat, he appears to have had one in a state of forwardness, preparing for the route up the Kanawha; and the department appears to have been anxious to have the steamboat line established, as a connecting link between the Guyandotte stage route in Virginia, and the stage lines from Gallipolis, by Chillicothe, to Columbus, and to Cincinnati, in Ohio. In conformity with the wishes of the department, A. L. Ross, therefore, voluntarily relinquished the route between Gallipolis and Chillicothe, that it might be given to House, and extended, by steamboat, to Coalsmouth or Kanawha Court House.

A contract was then made with George House, to carry the mail three times a week, in four-horse post coaches, 62 miles, through in one day; also, to extend, three times a week, on horseback, from Gallipolis to Coalsmouth, 50 miles; and if it should be found practicable to run steamboats, then to extend to Kanawha Court House, 62 miles, and to carry the mail in steamboats between Gallipolis and Kanawha Court House, and to perform the whole service for \$2,600 a year. It appears from the reports from postmasters, that gen. House has often failed to deliver the mail, on his route, according to the directions of the department, and the penalties have not been generally enforced. These failures were frequently occasioned by the high and impassable state of the waters on this route, and in some instances, the penalties have been imposed; still we cannot think, from the evidence now in the possession of the department, that sufficient rigor has been exercised.

William Smith is contractor for carrying the mail in coaches on many routes, among which are the most of those constituting the line from Washington city—by Fairfax Court House, Warrenton, Va. Culpeper Court House, Orange Court House, Charlottesville, Lynchburgh, Danville, Salem, N. C. Yorkville, S. C. and Washington, Ga. to Milledgeville. The route from Washington to Lynchburgh, 200 miles, he contracted to run three times a week, in four horse post coaches, from January 1, 1831, to December 31, 1834, at \$6,000 per annum. In April, 1831, such alteration was made in times of arrival and departure on this route, and on the route between Lynchburgh and Danville, and such increased expedition given, as to require considerable additional expense. The object was to perfect the connexion south of Danville, with the route from Salem, N. C. to South Carolina and Georgia, so as to save two days of time, which would otherwise be lost; and it is stated that it would require two additional teams of horses. For this alteration, he was allowed 800 dollars a year extra pay. In the August following, he was directed to make such further alteration, on that part of the route between Warrenton and Washington city, as would bring the mail, once in each week, into the latter place, one day earlier than it would otherwise do. This alteration evidently subjected him to increased expense, and it is stated that it required an additional team; and he was allowed for it 300 dollars a year extra compensation. He was afterwards allowed \$1,200 for improving it from a tri weekly to a daily route between Washington city and Warrenton, 50 miles. In April, 1832, he was allowed the further sum of 1,600 dollars per annum, for extending the daily route to Orange Court House, and from the 1st of May, 1832, he was allowed the further sum of 3,000 dollars a year, for extending the daily line of coaches the whole distance from Washington city to Lynchburgh.

The extension of the line daily, from Washington to Lynchburgh, appears to have been made in conformity with the general and earnest calls of the citizens of the section of the country through which this mail runs. Letters and petitions were presented with more than one thousand signatures, calling for the improvement, and sustained by the members of congress representing the country through which it passes. This makes, together with the former allowances, 6,900 dollars a year, extra allowance for improving the route from three times to seven times a week. His original contract was 6,000 dollars a year for three weekly trips, or 2,000 dollars a year for each weekly trip. Four additional weekly trips were added, which, at the same rate, would amount to 8,000 dollars a year. The allowance was less than that sum. It was therefore within the limitation fixed by law. Its expediency is the only point on which a question can be raised. It has been suggested that its proximity to another route, that from Fredericksburgh, Virginia, to Milton, North Carolina, is such as to render it inexpedient or improper to incur the expense of a daily coach mail on this route. On this point, we are of opinion, that the postmaster general, and that the citizens interested, including their representatives in congress, are the most competent judges. It runs through an important section of the country, connecting the seats of justice of not less than seven counties, including the towns of Charlottesville and Lynchburgh, with each other, and with the seat of the general government. There is another stage route running between this and the principal mail route to the southern cities. But it has no connexion with this route, that commencing at Fredericksburgh, and terminating at Milton, North Carolina, and this commencing at Washington, and terminating at Lynchburgh. There are other routes extending from the southern termination of these, which continue till they terminate in one point at Salem, North Carolina, and the principal mail route between Washington and Fredericksburgh, connects these northern points; but they commence fifty-seven miles distant from each other, and their terminating points, Milton and Lynchburgh, are still more distant. We are of opinion, therefore, that there is nothing obviously inexpedient in the improvements which have been made in this route; and

from the uncommon solicitude of the citizens and their representatives, upon the subject, it would seem that they were an object of more than ordinary desire. The postmaster general, who had the best means of determining the question, decided in favor of its expediency; and we find no evidence which would justify us in taking exception to his decision. There has been a reduction made in the line, from Washington to Lynchburgh; the mail is now only transported six times a week to Warrenton; and three times a week to Lynchburgh; and a corresponding reduction of compensation has also been made: this diminution of service and compensation, has been produced by the want of means in the department, and we are now prepared to say, that the former service and compensation should be restored, whenever the finances of the department will warrant it. It should be remarked in this case, that no imputation of partiality towards the contractors should be indulged in, because, the compensation of the extra services falls short of the legal standard, or what might have been allowed by law, and the reduction of service, to so great an amount was made at such a season of the year as greatly to sacrifice the value of much of the stock thrown out of employment by the reduction.

The mail routes between Staunton, Virginia, and Catlettsburgh, Kentucky, 252 miles, were advertised to run three times a week in four horse post coaches. Porter, Belden, & Co. proposed to perform that service from January 1st, 1831, to Dec. 31st, 1834, three times a week for 7,566 dollars a year, or six times a week for 15,120 dollars a year, or daily for 15,500 dollars a year. The contract was made for three times a week, at 7,566 dollars a year, and signed by Edwin Porter, & Co. and Jourdon Woolfolk, dated October 20, 1830, to commence January 1, 1831, and to continue four years. About a year after this contract commenced they were allowed the additional sum of 156 dollars a year for sending a mail on horseback three times a week to the post office at 'Pease's valley. From 1st April, 1831, three months after this contract commenced, it was improved to six times a week. Their proposals would have entitled them to 15,120 dollars for the whole service six times a week, which would have been an additional allowance to the original contract of 7,554 dollars; and allowed them only 5,000 dollars a year, which was 2,554 dollars less than their proposal. In August, 1832, that part of this route, which lies between Guyandotte and Catlettsburgh, 12 miles, was discontinued, and a reduction of 346 dollars a year made from their contract. From the 1st November last, the whole line was reduced to a tri weekly route, and the allowance of 5,000 dollars a year withdrawn which had been made for its improvement; and the allowance of 156 dollars a year for sending a mail to 'Pease's valley, was at the same time withdrawn, which reduced the annual compensation for the stage line to 7,220 dollars a year, being 346 dollars less than the original contract. In this, we discover nothing incompatible with law and equity.

The law of March 2d, 1823, (sec. 3), which establishes as post roads all waters on which steamboats regularly pass, from port to port, makes the Ohio river a post road; and the 4th and 5th sections of the law, of March 3, 1825, has been construed by the postmaster general, as authorising him to make contracts for the conveyance of mails on extended routes, and on steamboat routes, without advertising, as is required in ordinary cases. Instead of being governed by advertisement, as in cases where there is no other restriction, he is restricted in contracts, under the 4th section by proceeds of the post office, on the extended part of the route—and in contracts under the 5th section, he is restricted by the number of letters and papers conveyed. Under the section which authorises him to make contracts for carrying the mail by steamboats, it is the practice, when the number of letters and papers conveyed by such steamboat will not probably be so great as to amount to a very considerable sum, to require them to be counted at the post office, when they are delivered, and payment made by the postmaster, according to law; but in cases where the mail is large, and will probably amount to more by counting, than a fair contract price; and especially when it contains numerous packets mailed for other offices, than those to which they are delivered by the steamboat, the counting of them would be impracticable; and it is the practice of the postmaster general to enter into contract upon such terms as in his judgment are most eligible for its transportation in steamboats. In pursuance of this practice, the postmaster general extended the original route which was then in operation from Staunton to Guyandotte, so as to run by steamboats from Guyandotte, Virginia, down the Ohio river, by Cincinnati, Ohio, to Louisville, Kentucky, to run six times a week each way, for which he allowed the contractor \$13,000 a year. It is stated by the postmaster general, that on experiment it was found that the part of the route between Cincinnati and Louisville was much more important than the part between Guyandotte and Cincinnati; and as the great northern and eastern mail, which arrived at Cincinnati for Louisville, and all places south and west of that place, was daily instead of six times a week, it was desirable to have that part of the steamboat route daily instead of six times a week; but the contractor alleged, that a daily mail would require an additional steamboat, which would greatly increase the expense. It was therefore stipulated, that he should run but four trips a week each way, between Guyandotte and Cincinnati, and seven trips a week each way, between Cincinnati and Louisville, without any change in his compensation. From the 1st November last, the part of the route between Guyandotte and

Cincinnati was reduced to two trips each way, a week, and a deduction made from his compensation of 5,000 dollars per annum. The present steamboat contract, therefore, is to run twice a week each way, between Gayardotte and Cincinnati, and daily between Cincinnati and Louisville, and the annual compensation is 8,000 dollars.

The mail route between Mobile, Alabama, and New Orleans, Louisiana, has been a subject of investigation. It appears that the contract for this route had been annulled on account of the failure of the contractors; and the postmaster general advertised it on the 15th of April, 1829, for proposals to be received till the 12th July, 1829, to run three times a week from Mobile, via Pascagoula, in stages and steamboats, the terms indefinite. It was accepted to James Reeside & Co. at 25,000 dollars a year; and the contract made with them, at that rate, to transport the mail in stages and steamboats, or in steamboats, as might be found most eligible, for four years, from the 16th of November, 1829. The contract is dated July 24, 1829, signed by James Reeside, Richard C. Stockton, William B. Stokes, John H. Avery, Edwin Porter, and the Potomac steamboat company by Frederick May.

The postmaster general determined, in the fall of 1831, to improve the mail route between the Atlantic cities and New Orleans, to a daily line; but as the enterprise of this company had in many respects proved disastrous, he determined to confine the contract on the route for this part of the line to the responsibility of an individual who might select his associates, but stand personally pledged for the performance of the service. He therefore, superseded this contract by a new one, with Edwin Porter, to run daily, instead of three times a week, and to receive for his annual compensation 40,000 dollars. This contract bears date October 15, 1831, to commence on the 1st of January 1832, and to continue four years. It is signed by Edwin Porter, as principal, and by Sidney Porter and Wilson Allen, as sureties. Under this contract the mail appears to be carried at this time.

It has been suggested, that this contract was liable to exception. It should be remembered that the postmaster general is expressly authorized, by the act of 1825, to cause the mail to be transported by water, from the city of Mobile to the city of New Orleans. It was put into operation before the present postmaster general was appointed, and was advertised, and regularly let to contract, in July, 1829—the transportation between the above named places to be tri-weekly at the price of 25,000 dollars per annum. The additional 15,000 dollars for the additional four trips a week, so as to make the service daily, at 40,000 dollars per annum, was clearly less than the *pro rata* allowance which the postmaster general is authorised by law to grant.

It is alleged, however, that this route costs the large sum of 40,000 dollars, while the net amount received for postage in the year ending on the 31st March 1833, in the whole state of Louisiana, was only \$46,718 43, and at this time cannot greatly exceed that sum—and in the state of Alabama, the net amount of postages in the same period was only \$37,682 58. Were these two states alone interested in this route, it would be readily admitted that the expense produced by it would be unreasonable; but when it is recollected that New Orleans is the point to which the whole surplus agricultural products of the nine western states, and the western part of Pennsylvania and Virginia are transported to market, and the purchasers in a great measure are the merchants and traders of the eastern cities, it will be seen that the whole western states, and a great portion of the eastern trading community, have an interest in securing a certain, frequent and speedy transmission of intelligence by this route. A principal object of expedition in mail transportation, is that intelligence through that channel may become general among those who have articles to sell, before purchasers, or their agents, acting by means of private information, procured through expresses, and otherwise, can obtain that advantage which those acting with a knowledge of the stock of the market in other parts of the world always have over those who do not possess similar information. In this view of the subject, the whole western country is deeply interested in keeping up this route, cost what it may—without it they might be exposed to the danger of sacrificing the products of their labor without obtaining a fair equivalent, and citizens of the eastern portion of the United States are interested in procuring certain and early intelligence of the kind and quantity of western productions that are or probably may be in market at New Orleans. It is true that numerous failures have occurred on this route, owing chiefly to the incapacity of Mr. Porter's agent, for which fines to the amount of about 6,000 dollars have been imposed; but since the contractor has given his residence at Mobile and New Orleans alternately, and fixed to the route his immediate personal attention, the transportation of the mail has become regular, and well connected with the great mail line from Mobile to the Atlantic cities. By this arrangement the time of transporting the mails from New Orleans to Washington, and the cities east of it, is several days less than it was previous to its adoption.

At first view it may seem exceptional that the postmaster general has granted such important mail facilities in the southern and western states, and has not to a greater extent discontinued unproductive routes in those sections, inasmuch as the postages received in those states in no instance equals the expense of the transportation through them. It is true, that by the act of 1825, he is directed that whenever, within the term of

three successive years, a route shall fail to yield one-fourth of the expense incident to its establishment, to discontinue the same, unless in cases where it may be necessary as a connexion or continuance of a route or routes, and provided he shall not deprive a seat of justice in any county of one mail going to and from it. We are not aware that this injunction of the law has been disregarded, nor have we had time minutely to investigate this subject, our attention having been directed to objects deemed more important. One general fact, however, is apparent; but the southern and western states do not, through the offices in them, contribute to the department an amount equal to the expense of transportation. This arises from several causes. A commercial and manufacturing community have more correspondence, and of course contribute a greater proportion of the revenues of the department than an agricultural people. A dense will contribute more than a sparse population. Besides, the expense of transportation through an old and thickly settled country, where the roads are well improved, and where many passengers travel in mail stages, will be much cheaper than in a quarter of the country thinly inhabited, and where the roads are not in so high a state of improvement. But it should be observed, that the postages returned to the general post office from the offices in the southern and western states, do not contribute the whole amount that mail facilities in those sections contribute to its revenue. Much of the postages received from the citizens of the southern and western states. We suppose the fact in this particular to be that the southern and western states have some advantage; the government is affirmed that this is the only department of the government in which they are on a footing of equality with other sections of the United States, in the benefits accruing from the disbursement of the public moneys. To say nothing of the unequal operations of the revenue laws upon the different parts of the country, it is apparent that the public moneys are principally expended on the eastern seaboard; as instances, light houses, breakwaters, harbors, fortifications, and many other objects of expenditures that might be named, having no corresponding disbursements in the western states. We therefore think that the circumstance of less money being collected by the department in the southern and western states, than the cost of transportation of the mails therein, constitutes no solid objection either to the legislation of congress on this subject (for the objection would equally apply to it) or the administration of the department.

Our attention has been particularly drawn to some of the incidental accounts of the department. Among others, the account of moneys paid for the department by Mr. Gouverneur, postmaster at New York, seemed to require special attention. Upon a full investigation of this account, every item constituting it was found to be accompanied by its appropriate voucher, and the items themselves appeared chiefly to be such as had been ordinarily, under former administrations, paid for by the postmaster at New York, and accredited to him at the department, as in this instance.

The accounts for printing executed for the department by Francis P. Blair, editor of the Globe; by Mr. Penn, of Louisville, Ky.; by Messrs. Hill & Barton, of Concord, N. H.; and by Messrs. True & Greene, of Boston, Mass. from the 1st of October, 1831, to the 1st of January, 1834, were supposed to require minute examination. We compared the accounts with the vouchers which accompanied them, and were satisfied that all the items in the respective accounts were correct, and that the articles and work charged were furnished and executed according to the accounts. The only point of difficulty with us was, the price of printing, of which we were not judges, but from all the information we were able to collect, we believe the prices which have been paid are reasonable. But to prevent any misapprehension on this subject, and that others may have the same opportunity of judging, we present the following statement of the prices paid by the department, viz:

To S. PENN, Jr. Louisville, Ky.	
For printing post bills, per ream,	\$1 50
“ accounts of mails received and sent	4 00
“ newspaper returns	4 00
“ accounts current	2 50
“ accounts current for distributing offices	3 00

For faint ruling

To TRUE & GREENE, Boston, Mass.  
Same prices as above.

To HILL & BARTON, Concord, New Hampshire.  
Same prices as above.

The same prices have been allowed to F. P. Blair, and to William A. Davis, Washington city, for printing; but they executed the ruling for \$1 50 per ream.

The above items, together with the advertisements for proposals, which the law requires shall be published twelve weeks in succession, constitute the principal part of the printing done for the department. The advertising, so far as we can learn, has been done at the usual rates.

The undersigned, without any reference to the manner in which the post office department has been administered in former years, or at the present time, or to the individuals who may have had, or now have, the management of it, are of opinion that the legislation of congress would be proper to the following effect:

1. That the department be reorganized in such way as to secure a proper degree of responsibility, not only in the head, but

in the subordinate branches of the department; and for that purpose the auditing of the accounts, and the final adjudication of them, and the disbursements of its moneys, should be confided to officers appointed by the president and senate.

2. That reports be made to congress annually, of all the expenditures of the department, stated in detail, including incidental expenses also, of all new contracts, and modifications of contracts, and their respective prices; also, a statement of the amount paid for the transportation of the mail on each route, in the several states and territories, as near as may be.

3. That any person employed in the general post office, shall be prohibited from becoming a mail contractor, or interested in a mail contract, or an agent, with or without compensation, for a mail contractor.

4. That advertisements for proposals to carry the mail, issued previous to the periodical lettings, be made, as near as may be, according to the manner in which, in the judgment of the postmaster general, the mail should be transported during the period of the contract.

5. That the sealed proposals received from bidders for mail contracts, shall not be opened until after the time for receiving bids shall have expired.

6. That reports be made to congress, annually, of all failures by contractors to deliver mails, and the action of the postmaster general in regard thereto, in each case.

FELIX GRUNDY,  
JOHN M. ROBINSON.

### EDITORIAL AND MISCELLANEOUS.

With the extra means used, we have not made much impression on the mass of current matter before us, nor can room be obtained for several articles which have been prepared for this number. Until after the rising of congress, we cannot hold much discretion over the contents of our pages—they must be given up to a record of the public documents and proceedings; but relieved of these, there are several important subjects that we intend to discuss, editorially,—and, with the large supply that we have of valuable stock-copy, it is hoped that the REGISTER will be made more generally interesting than it now is, or any other weekly record can be, for the chief contents of such periodicals are anticipated by the daily press, and elbow-room cannot be obtained for miscellaneous matter, or desultory reading.

We had prepared a neat abstract of the most recent foreign intelligence—but our labor is lost, for we cannot "get it in." No important event, however, has happened. The affairs of Spain and Portugal, &c. remain nearly as they were at our last advices.

P. S. The mail of last evening brought us the N. York papers in mourning. By a late arrival, we learn that the good LAFAYETTE died on the 20th May, in the 77th year of his age. The papers are filled with tributes of respect to his memory. He was the illustrious link between the past age and the present—the man of two worlds.

We know that not much faith is due to the *it is said*s from Washington—and so do not often notice them; but it is rumored that Mr. Taney may be named for secretary of state, or that Mr. Forsyth will be—Mr. Polk, of the house of representatives, secretary of the treasury—Mr. Wilkins, senator of the U. S. postmaster general—and Mr. Moore, who contested the right to a seat in the house with Mr. Letcher, be placed at the head of a bureau. There has been, also, an "it is said," that Mr. Cass would resign the secretaryship of the war department.

It will be seen in the journal of the house of representatives, that Mr. McKim proposes to issue fifteen millions in treasury notes, which are to be loaned to individuals on good security, &c. The project did not meet with a favorable reception, nor do we suppose that such a one ever will, under circumstances like the present. Though Mr. McKim has long entertained this project, it rests upon the principle of certain proceedings lately had in N. York, and its operation would be to gather power, after the manner of the safety fund system, for political purposes. And, without a reference to this case, it may be observed—that some of the "perish credit" folks, and loudest talkers and brawlers for a gold currency, have no sort of objection to the establishment of new manufactories of paper money, if

subjected to the managements of their party—witness the establishment of many new state banks, and the grand schemes thrown out for building up others, on paper, paper, paper.

With regard to this proposition, the United States Gazette well observes—

"If there is no distress, why should the government lend fifteen millions to individuals? And, if there is distress, why not remove the cause, to which all classes of citizens who complain, concurrently point?"

Things will remain as they are, so far as they depend on the government, at least until the next meeting of congress; when, perhaps, instructions may be given that will be obeyed, after the manner suggested in the sentiment offered by judge Carr, when gov. Floyd was publicly dined at Richmond, as follows—

"The people—would they be obeyed, let them discard the soft, suing language of memorials, and each district speak to its own representative in the voice of a master."

Thus the people of Virginia have spoken to Mr. Rives, and so did his district speak to Mr. Stevenson.

As was anticipated, the senate, having rejected the nomination of Martin Gordon, as collector at New Orleans, also rejected the nomination of his son, presented by the president, for the same office, without a division. "Not, probably, (as the National Intelligencer observes), on the grounds on which his father's nomination was rejected, but because of his youth and consequent presumed want of character and experience sufficiently mature for so important and responsible a station."

We have no recollection of a precedent for such a nomination, under the circumstances of the case, as that of young Gordon. The senate, however, promptly confirmed the nomination of James W. Breedlove, as collector at New Orleans.

About two weeks since, the Irish laborers on the Chesapeake and Ohio canal, near the Point of Rocks, had a series of battles among themselves, in which three persons were murdered, and many others injured. And during the whole of the present week, two or three companies of the Baltimore volunteers have been engaged in a harassing and unpleasant duty, to reduce and keep in order large bodies of Irishmen, employed on the Baltimore and Washington rail road, about 18 miles hence, in the neighborhood of the Patuxent—who, divided and marshalled into two furious parties, the *Fardowns* or *Longfords* and the *Corkonians*, commenced general hostilities on Sunday last, which have been partially continued, notwithstanding the presence of the troops, up to this time, though some sixty or seventy of the apparent leaders had been arrested and sent to prison. It is believed that four or five persons have been murdered in these affrays, and broken heads, black eyes and bloody noses are "without count"—several being also seriously injured in some of their limbs. It is said that they had collected about forty muskets, and appeared resolved to use them against the troops—but they gave way whenever an advance was made upon them, and scattered in the woods, through which they were hotly pursued. Several of the shantees, or huts, had been fired by them and consumed, and much distress prevails, among the women and children. The whole affray was among themselves, except that they essayed an attack upon a body of German laborers, who resisted and beat them back, being well disciplined and steady, and partially armed for defence. A good many of the Irish were supplied with short pikes. The number of rioters is thought to have been four or five hundred, on each side: and neither party seems yet disposed to end the quarrel. From 100 to 150 of the troops remain in the neighborhood. Such brutal and wicked proceedings must be stopped—but the frequent occurrence of them renders many indifferent of any result, provided only these foreign factions do not meddle with the persons and property of peaceable people.

It makes us quite melancholy to see that the democratic "Albany Argus" is manufacturing the celebrated general Root into a thorough-going "federalist"—an alien to the "republican party"—though president and chief of the

"Spartan band" of 17, in the senate of New York, in 1824, and proceeding the *whole* length, and a little *more*, to "preserve the republican party," by denying the right of suffrage to the people of that state, at the presidential election—and though that denial, by depriving Mr. Adams of the highest vote for president, probably was the leading cause of the success of general Jackson in 1828! It appears that the sin of gen. Root is in believing that the "mortgage" law is "inexpedient."

There was a "Spartan band" in the senate of Pennsylvania in 1798, which nearly defeated the election of Mr. Jefferson, while a large majority of the people were in favor of him, as was the majority in New York in favor of Mr. Adams in 1828; and we hear of another that may hereafter appear—The official "Globe" says—

"A new bank of the United States, with either a limited or perpetual charter, will not be easily established. We believe that none could now pass either house of congress. We know it could not unite two-thirds of both houses. If it could pass the two houses, a band, (a Spartan band, if it must be so), would rally around the hero of New Orleans, and defend this battlement of the constitution to the last extremity."

What!—AGAINST TWO-THIRDS OF BOTH HOUSES?

We mentioned sometime ago that col. *William Duane* had issued proposals for the revival of the "Amorosa." He has just now explained his intentions fully—he entirely approves and will support "the policy of general Jackson." He is decidedly opposed to the bank, or a bank—thinks that the power of the president "to remove his secretaries," is unquestionable. He rather doubts the "prudential policy" (and that only), of the removal of the deposits, but heartily concurs in the doctrines of the protest, and in "the letter and spirit of the two unanswered and unanswerable speeches of col. Benton on the bank question."

We shall insert the prospectus and exposition at length, when less pressed for room than at present.

We felt assured from a late view of things at Washington, that a direct vote on the resolutions from the senate, the one declaring the reasons of the secretary of the treasury for the removal of the public deposits from the bank of the United States to be unsatisfactory and insufficient, and the other requiring the deposits of the public money to be hereafter made in the bank of the United States, would be avoided in the house of representatives, as hinted at in our last number; and on the 13th instant, they were both laid on the table. It is thus settled, we think, that things will remain just as they are, with relation to the bank of the U. States, the local banks, and the keeping and distribution of the public money—and that all persons should govern themselves accordingly. We must bear and forbear, and help one another as much as we can, during the always-oppressive summer months on men who have much money to pay—for the usual difficulties will be much increased with these. They may hope for a partial relief in the paralysis that has been given to enterprise—but this paralysis will bear on the laboring poor, deprived of employment. And with such a summer as is before us—what must be expected in the winter season, "which we know must come?" In the last winter, for an example, there were perhaps two hundred houses in Baltimore being finished by our carpenters; from present appearances, there will scarcely be twenty to be so finished in the next, and very few of these are extensive buildings.

The health of Mr. *McDuffie* has considerably improved since he retired, for the present, from his seat in the house of representatives, and it is hoped that a visit he is about making to the White Sulphur springs, in Virginia, will restore him.

Gov. *Hayne* has declined to call an extra meeting of the legislature of South Carolina, in consequence of the late decision of the judges against the test oath, as had been earnestly requested of him. We shall record the papers belonging to these matters.

Mr. *Duane*, being recently at Providence, R. I. partook of a public dinner in that city, at which some incidents occurred that should, and will be, preserved.

Mr. *Cooper*, the novelist, has entered the political arena, and made a book about the events of the times. Many will regret this proceeding on the part of Mr. C.

The Synagogue belonging to the congregation of She-rath-Israel, just finished in Crosby street, New York, was on the afternoon of the 12th inst. consecrated with the most imposing and interesting ceremonies, which were closed by an oration by M. M. Noah, esq. The building is a very costly and beautiful one, fifty-six feet in front by seventy-five in depth. It was on this occasion filled in every part, and most of the clergy and magistrates were present.

The National Intelligencer of the 16th inst. says,—

It is a circumstance to which it may be worth while to call the attention of the reader, that, taking the two houses of congress together, a majority of congress has pointedly condemned and rebuked the removal of the public money from deposit in the bank of the United States. Thus: in the house of representatives, the vote on laying the resolution of that import upon the table (a test vote) was 114 to 102. In the senate, the majority upon Mr. Clay's resolution, condemning the removal of the deposits, was so decisive, that the yeas and nays were not asked for by the minority; but, the whole senate being present, the majority in its favor may be set down at 15 or 20. [On Mr. Benton's motion to commit the resolution, with instructions, &c. on which the yeas and nays were taken, the actual majority against the commitment, and in favor of the resolution, was nineteen.] In joint meeting of the two houses, therefore, there are a sure and firm majority who are of the opinion that the reasons which have been assigned by the executive for the removal of the public deposits are unsatisfactory and insufficient.

The Globe of Thursday, the 19th says—

"We understand that Mr. *McLane* has resigned his office of secretary of state, the resignation to take effect as soon during the present session of congress as it may be convenient for the president to appoint a successor.

"It is well understood that, in regard to some prominent measures which occupy much of the public attention, Mr. *McLane* has entertained different views from the president. But the president, who has through life exercised his own independence of judgment, is too generous, and too just, to give up one, esteemed by him as a friend, an honest patriot, and faithful public officer, for a mere difference of opinion; and as no action by the department of state was requisite in carrying into effect the measures in question, he saw no public necessity for a separation. Between two men of elevated sentiments, there was nothing in such a state of things to interrupt the harmony of either their official or private relations, and their mutual confidence and esteem have therefore continued unimpaired. We know that the president has yielded to Mr. *McLane*'s wish to retire from his administration with regret, and that he has freely expressed, not only his high sense of Mr. *McLane*'s patriotism, talents, and eminent services, but his sincere friendship—a sentiment which is fully reciprocated by Mr. *McLane*."

Several cases of cholera had appeared on board of some of the passenger vessels lately arrived at Quebec—and this awful disease yet continues, but rather in solitary cases, in parts of Louisiana, Alabama, &c. and on the western waters.

An attempt was made, on Monday last, by Mr. *Woodall*, to ascend in a balloon from Fair Mount, accompanied by a young lady—the last, as a novelty, perhaps, was necessary to collect a company; but it so happened, that, when the balloon had been inflated, and the car was about to be attached, a rent was made in it near the top, and the gas escaped in a minute, and so the exhibition ended. The damage is said to have been caused by the tightening of the cords designed to sustain the car.

This is the third failure, in succession, and we hope it may lead to an abandonment of such exhibitions, in Baltimore. We have had quite enough of them; and of other sorts of balloonnings and explosions, for a good while to come.

We understand that many of those who had not contributed a cent to encourage this attempt of Mr. *Woodall*, were very much disposed to make a riot because that he could not ascend! If, in idleness, they had gone out to see something which would have cost them nothing, they ought rather to sympathise with the pecuniary loss sustained in the failure of those who would have gratified them, had it been practicable to do so. The respectable audience, within the enclosure, showed the greatest forbearance, and even good humor, though disappointed—as we are informed.

We are much pleased to hear that Messrs. Key & Bidle, of Philadelphia, are about to publish an edition of the famous "Blue Book." Hitherto only a small number of this work has been printed, but this will place the army of officers, with their pay and emoluments and allowances, immediately before the people, and they can see the number and the cost of them.

**THE AFFAIR AT TOULON.** It does not certainly appear how many shotted guns were fired on board the frigate United States, when saluting on the king's birth day—but two men were killed and four wounded on board the French ship Suffrein. Captain Ballard was at Marseilles when the accident happened—but returning just afterwards, he addressed two letters to the prefect of marine, expressing his deep regret on account of it, &c. The following papers contain all that it is necessary to notice at present:

In the French chamber of deputies, on the 7th May, M. de Rigney, minister of foreign affairs, in reply to a call for information on the subject, said—it is too true that an unfortunate event, I will even say, an awkward accident, has happened in the port of Toulon, for it is impossible to suppose that a foreign vessel, celebrating in a French port, the king's fête, intentionally fired with ball at one of our vessels, and if in proof in this respect were wanting, I could read to the chamber a letter written by the commander of the frigate to the maritime prefect. (Read! Read!) The letter is in the following terms. It is in English. I translate.

Sir: It is with the deepest sorrow I learned on my arrival from Marseilles (for gentlemen, you must know the captain of the American frigate was at the moment at Marseilles) the sad accident which occurred in firing a salute in honor of the day from the frigate United States. It is impossible for me to express what I feel on this occasion. To fully comprehend it I pray you, sir, to place yourself for a moment in my situation, and at the same time to receive the assurance, which I give with the most perfect confidence that it is sincere, of the profound regret which fills the breast of every officer and sailor of the two American vessels at present at Toulon.

The master gunner, who has been the cause of this unfortunate disaster, had the reputation of a brave and good officer, but he had been but a short time on board the ship. I have placed him under arrest, and my intention is to bring him before a court martial as soon as I join the officer in command of the American force. As a proof of the true sentiments and deep sympathy which is felt by us on this occasion, I beg you, sir, to allow that a collection of 5,000 francs, which has been made from the crew of the ships, be appropriated to the use of the victims of this unfortunate accident. (From all parts—very well!) Signed HENRY E. BALLARD, captain U. S. navy, commanding the frigate U. S.

A letter from Toulon, dated May 6, received at New York, says—that the reply of the admiral to captain Ballard was highly satisfactory in every respect, except in reference to the subscription for the families of the killed and wounded, made on board the Constellation and United States. The object of this seemed to be misunderstood—and, though pronounced "noble and generous," the acceptance of it was declined.

The circumstance led to a second letter from our commander, of which also, as you have the beginning of the correspondence, I will furnish you a copy.

U. S. Frigate, United States, Roads of Toulon, May 2, 1834.  
Sir,—I am this moment in possession of your letter of the morning.

It has made me most happy by the strong assurance it contains, that "the whole body of the navy at Toulon" are convinced of the sorrow that fills our hearts, at the deplorable accident of yesterday, as well as by the generous admission, that the event we mourn "is the effect of one of those fatal circumstances which are independent of any will."

I beg leave, again to offer the assurance, that the gunner through whose negligence the said accident occurred (and who being a warrant officer can only be punished by the sentence of a court-martial) is now under arrest; and shall be brought to trial, as soon as it is my good fortune to fall in with the commander in chief of our squadron in the Mediterranean.

On the subject of the five thousand francs intended to be placed in your hands for distribution, by the generous souls of the ocean under my command, I beg to assure you sir, that it has nothing to do with indemnification; it is the voluntary outpouring of generous spirits, sorrowing for the consequences of an accident over which they had no control, and which they would have laid down their lives to have prevented.

It is not to indemnify, and has no reference to compensation; but it is to alleviate, if possible, for a time at least, the sorrows of a widowed heart; to supply the wants of the orphan, and to soften the pillow of the aged and dependant, who may mourn a loss we cannot replace.

In requesting you, sir, to be the channel of this distribution, their only desire is to afford him who has won the applause of the brave, an opportunity of enjoying another gratification in blessing the afflicted. I have the honor to be, with perfect respect, your obedient servant,

HENRY E. BALLARD,  
captain in U. S. navy, commanding U. S. frigate U. S.  
To adm. the baron Fryncinet, prefect of marine, at Toulon, &c. &c.

Since the receipt of this communication, indeed immediately afterwards, the prefect, attended by full staff, has paid a friendly visit, and partaken of a *déjeuner à la fourchette* with capt. Ballard; and every thing is restored to an amicable and kind footing. The contribution, however, has not been accepted for the families of the sufferers.

On Thursday last the following proper and prompt message was received from the president of the United States—  
To the house of representatives of the United States:

I transmit to congress an extract of a despatch from Mr. Livingston, the minister of the United States at Paris, dated the 7th ult., and the copy of a communication made to him by captain Ballard, commander of the frigate United States, by which it appears that in firing a national salute from that ship at Toulon, in honor of the birth-day of the king of the French, two men were killed, and four others wounded, on board the French ship of war Suffrein. Suitable explanations were immediately made to the French admiral; and the officers and crew of the American frigate, with that generosity which distinguishes their profession, promptly contributed, by a liberal subscription, towards providing for the families of the unfortunate sufferers. I am sure, however, that I should not do justice to the feelings of the American people, on this occasion, if I did not invite congress to assume, on their part, this melancholy duty. I propose, therefore, that the same provision be made by law for these French seamen, and their families, as would be made for American seamen killed or wounded in battle.

This proceeding will shew the deep sensibility with which the disastrous accident is viewed by the United States, and their readiness to alleviate those consequences which cannot be remedied. ANDREW JACKSON.

Washington 18th June, 1834.

It is difficult to excuse the person or persons whose neglect caused this misfortune—but it is not the first case of the kind that has happened.

## TREASURY REPORT.

Treasury department, June 16th, 1834.

Sir: In compliance with the resolution of the senate, of the 7th of May last, directing the secretary of the treasury "to report as soon as practicable, to the senate, the amount of duties received and accrued on former imports, during the first quarter of the year 1834, with a table showing the comparative amount of that quarter, and the corresponding quarter of the year 1833, and distinguishing between the amounts accrued or received at each port." Also, "whether any thing has happened since his annual report was made at the commencement of the present session of congress, to vary, in his opinion, the estimate contained in the said report of the proceeds of the duties on foreign imports for the year 1834." I herewith transmit the statement required by the first resolution above mentioned, by which it appears that the duties which accrued from customs in the first quarter of 1833, amounted to the sum of \$5,798,114 87, and in the corresponding quarter of 1834, to the sum of \$5,344,540 40, and that the actual receipts into the treasury from the same source in the former quarter, amounted to \$6,966,437 09, and in the latter to \$4,435,356 13. A few of the minor ports have not been heard from; but they cannot materially vary the result.

In answer to the second resolution, I have the honor to state, that estimating the duties on foreign imports in the annual report made at the commencement of the present session, it was assumed as the basis of the estimate, that the imports of the present year would be nearly equal to those of 1832. This estimate was higher than the average imports of the five or six preceding years; but, as stated in that report, it was considered as a safe one; because, although the imports of 1831 and 1832 had been unusually large, those of 1833 had gone still higher, and the general state of commerce and the situation of the country justified the belief that there would be no serious diminution in the present year.

From the comparative statement of the amount of duties which accrued in the first quarter of the present year, and the corresponding quarter of 1833, it appears that the amount of foreign imports in the first quarter of 1834, must have exceeded that of the corresponding quarter in the preceding year. Several articles which form important items in our ordinary imports, and paid duty in the first quarter of 1833, were free from duty in the first quarter of 1834, and the rate of duty was reduced on others; and the difference between the amount of duty which accrued in these two quarters, would have been greater if the importations in the latter had not exceeded those of the former.

In some instances, without doubt, importations, which in the ordinary course of our foreign trade would have been made in the last quarter of 1833, were delayed until the first quarter of the present year, in order to obtain the benefit of the reduced tariff which took effect on the first of January last—and this circumstance has enlarged, in some degree, the imports of the first quarter of 1834. But after making a due allowance for the increase which may have arisen from this cause, and which would be peculiar to the first quarter of the year, the amount of duties which accrued in the quarter, are sufficient to show that the imports of the present year will most probably exceed the amount at which they were estimated in the annual report, and

be fully equal to those of 1833, which were unusually large. If this expectation should be realized, the proceeds of the customs will exceed the amount at which they were estimated by more than 1,000,000 dollars. The difference in the comparative receipts of the two first quarters as shown by the statement herewith transmitted, does not arise from any fluctuation in commerce or diminished importations, but is chiefly occasioned by the alterations in the times of payment introduced by the act of 14th July, 1832.

The receipts of the first quarter, and the bonds already taken, confirm the opinion that the income from customs will be greater than the estimate presented at the commencement of the session. The actual receipts into the treasury from customs for the first quarter of the present year, amounted to the sum of \$4,435,386 13; and the duties secured by bonds payable in the second quarter, amount to the sum of \$4,003,368 77. After making a fair deduction from these amounts for return duties, which may yet be called for, and for debentures and expenses of collection, the net income of these two quarters may be safely estimated at \$7,500,000. And if the third and fourth quarters should be only equally productive with the two first, the receipts will equal the amount at which they were estimated in the annual report. But under our present system of duties, the receipts from customs in the ordinary course of commerce will always be greater in the two last quarters of the year than in the first. The woollen goods which form so large a portion of our imports, are for the most part brought into the country in the third and fourth quarters of the year. The high duties with which they are charged, render them a very productive source of revenue; and being now payable in cash, they enter into the receipts of the third and fourth quarters in which the goods are imported. The receipts of these two quarters of the year will, therefore, generally exceed those of the two preceding ones by at least one million of dollars.

Although not embraced in the resolution, it will no doubt be gratifying to the senate to learn that the receipts from lands are equally encouraging, and will more than equal the amount at which they were estimated. The receipts into the treasury, from this source, during the first quarter of the present year, amount to the sum of \$1,398,206 18, while in the corresponding quarter of 1833, they amounted only to \$658,526 66, and from the returns already received for the present quarter, the receipts of the two first quarters of this year, from lands, may be safely estimated at more than \$2,000,000. In the annual report, the receipts for the whole year were estimated at \$3,000,000. The information above stated, shows that the anticipated income from this source, as well as from the customs, will be more than realized.

Upon the whole, the information received since the annual report on the finances was made to congress, affords satisfactory evidence that the extent of our foreign commerce has been fully sustained, and gives strong reasons for believing that the receipts into the treasury during the present year will be greater than the amount at which they were estimated at the commencement of the present session.

But I beg leave to repeat what I have already said, in the annual report from this department, that as the receipts of each year, under the present system of short credits and cash duties, must mainly depend on its own importations, as the estimates for the year can never be made with as much certainty as under the former system, when the receipts chiefly depended on the duties which had accrued in preceding years, and which were ascertained and secured by bonds before the time the estimates were presented.

And as all calculations on the amount of revenue hereafter to accrue, must be more or less uncertain, and are liable to be affected, by unforeseen contingencies, it would hardly be proper to appropriate on a scale of expenditure fully equal to the expected income. There is, however, no reason for apprehending that the resources of the present year can fall short of the estimate contained in the annual report. And it is believed that appropriations may be made with entire safety according to that estimate. I have the honor to be, sir, very respectfully, your obedient servant,

R. B. TANEY, *secretary of the treasury.*

Hon. Martin Van Buren, *vice president U. S.*  
and president of the senate.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

SENATE.

June 12. The senate proceeded to the unfinished business, being the motion to print 30,000 copies of the reports on the post office department, which motion was, after a protracted debate, agreed to by the following vote:

YEAS—Messrs. Bell, Bibb, Calhoun, Chambers, Clayton, Ewing, Frelinghuysen, Grundy, Kent, Knight, Leigh, Linn, Mangum, Naudain, Poindexter, Preston, Robbins, Robinson, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Webster, —26.

NAYS—Messrs. Benton, Black, Brown, Forsyth, Hendricks, Hill, King, of Alabama, King, of Georgia, Morris, Shepley, Tallmadge, W. W. Wilkins, Wright—14.

On motion of Mr. Clayton, the printing of the documents was ordered to be done under the direction of the committee.

The senate then adjourned.

June 13. Various proceedings were had which will sufficiently appear in future notices of them—[and like omissions of the progress of miscellaneous business, will hereafter be made].

The chair announced as the special order of the day, the bill to provide for the satisfaction of claims due to certain citizens for spoliations committed on their commerce by the French, prior to the 30th September, 1830; when

Mr. Forsyth moved to postpone the bill until the 1st Monday in December next.

Messrs. Chambers, Poindexter and Webster opposed the postponement, and the motion was lost by the following vote:

YEAS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Geo., Tallmadge, Tyler, White, Wright—16.

NAYS—Messrs. Bell, Chambers, Clay, Clayton, Frelinghuysen, Kent, Knight, Leigh, Linn, McKean, Moore, Naudain, Poindexter, Prentiss, Preston, Robbins, Robinson, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Webster, Wilkins—26.

On motion of Mr. Poindexter, the bill was then postponed to, and made the order of the day for Tuesday next.

The senate proceeded to the consideration of executive business, and when the doors were opened, adjourned.

June 14. Mr. Webster reported the bill from the house, to regulate the value of certain silver coins, with amendments, and gave notice that he should call it up early next week.

The following bills were severally read the third time and passed.

The bill creating two additional land districts, the one in the state of Illinois, and the other in the territory of Michigan.

The bill for the repair of Mar's Hill military road in the state of Maine; and

The bill confirming certain land claims in the state of Alabama.

The bill providing for the final settlement of the claims of states for interest on advances to the United States during the last war, was taken up, debated by Messrs. Hill, Chambers, Preston and Bibb; and

On motion of Mr. Preston, recommitted to the committee which reported it, with instructions so to amend it, as to establish the rate of interest at 5 per cent. per annum, by yeas and nays, as follows:

YEAS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Forsyth, Grundy, Hill, Kane, King, of Alabama, King, of Georgia, Leigh, Linn, Mangum, Moore, Morris, Preston, Robinson, Shepley, Tallmadge, Tipton, Tyler, Waggaman, White, Wright—25.

NAYS—Messrs. Chambers, Clay, Clayton, Ewing, Frelinghuysen, Hendricks, Kent, Knight, McKean, Naudain, Poindexter, Porter, Prentiss, Silsbee, Smith, Sprague, Swift, Tomlinson, Webster—19.

On motion of Mr. Poindexter, the senate proceeded to the consideration of executive business, and when the doors were opened, adjourned.

June 16. The chair communicated from the secretary of the treasury, in reply to a call made on the 11th March last, a statement relating to additional compensation allowed to mail contractors since the 30th Sept. 1825; which was referred and ordered to be printed.

The chair also presented, from the treasury department, a statement showing the amount of duties received on foreign imports during the first quarter of the year 1834, together with estimates of the probable receipts for the next three quarters; which, on motion of Mr. Webster, was laid on the table and ordered to be printed.

On motion of Mr. Webster, the senate took up the bill from the house to regulate silver coins, when the amendments reported by the committee on finance were considered and agreed to.

The first amendment fixes the weight of a dollar at 415 grains; the next fixes the weight of five franc pieces, at 384 grains; and the third strikes out 12 grains from the fineness of the South American dollar, which leaves its fineness as follows: ten ounces, fifteen pennyweights in the Troy pound of 12 ounces of standard silver, at 116 1-10 cents per ounce, which will leave it of the value of 100 cents.

The bill was then ordered to be engrossed for a third reading. [Read the third time the next day and passed].

The resolution allowing to E. R. Potter pay and mileage, while contesting the seat of Mr. Robbins as senator from Rhode Island, was considered, and after debate, on motion of Mr. Clay, referred to the committee on the judiciary.

The bill reappropriating the unexpended balances of the Georgia militia claims; and

The bill making additional appropriations for the armory at Harper's Ferry, were severally twice read and referred.

[Both of the preceding bills were reported the next day, considered in committee, and severally ordered to be engrossed for a third reading, and subsequently read a third time and passed.]

The following bills were read the third time and passed:

The bill extending the time of the commission under the French treaty;

The bill supplementary to the act to carry into effect the treaty between the United States and the King of the Two Sicilies; and

The bill granting pensions to certain persons therein named.

The resolution providing for the distribution of the diplomatic correspondence was read the third time, and agreed to.

Mr. Webster moved to take up the bill making appropriations for the support of government for the year 1834.

Mr. Poindexter moved its postponement until to-morrow.

Mr. Preston would prefer the bill to lay on the table till other matters of an important nature were disposed of. Where, he would ask, was the treasury of the United States? What control had congress over it? He would suggest to honorable senators the propriety of considering, before they passed any appropriations, whether something ought not to be done in regard to securing the treasury of the country. He was indisposed to go into the consideration of the appropriation bill until the treasury was taken from irresponsible hands, and put into those which were responsible.

After some further remarks from Messrs. Webster, Preston and Forsyth, the bill was postponed until to-morrow.

The resolution submitted by Mr. Clay calling upon the treasury department for the amount of scrip issued to satisfy Virginia land warrants, &c. was agreed to.

The senate then adjourned.

June 17. On motion of Mr. Frelinghuysen, the bill concerning duties on lead was taken up.

Mr. Frelinghuysen briefly explained the character of the bill. It has been rendered necessary by the attempts made to evade the duties imposed by the tariff of 1833, by the introduction of lead in busts and other forms, so that instead of paying the proper duty of three cents per pound, imposed by the act, they had only paid a duty of fifteen per centum, *ad valorem*, thus producing great injury to the public revenue.

He moved to amend the bill by introducing a proviso, that this bill should not extend to, or affect the existing duties on red and white lead, shot and litharge.

Mr. Calhoun was willing to agree to any measure to prevent fraud; but would not sanction any proposition to extend the protective duties. He therefore moved to lay it on the table; but afterwards withdrew his motion.

Mr. Frelinghuysen said all the provisions of the bill looked exclusively to the prevention of fraud except one which imposes a duty of two cents on lead ore, and that was suggested by one of the gentlemen from Missouri. But if any objection was made to this clause he would withdraw it.

Mr. Calhoun renewed his motion to lay the bill on the table.

Mr. Clay, (the motion being again withdrawn), said there were two objects contemplated by the bill: one the prevention of fraud; the other an increase of the duty on lead ore. To the extent of the prevention of fraud the bill was certainly proper and ought to pass; but however proper the additional duty may be, he hoped the clause would not now be pressed.

Mr. Preston hoped the effect of his colleague's motion would not defeat the bill. He had doubts as to the propriety of striking out the clause in question. If the bill was laid on the table, he hoped it would be taken up at an early day.

After a few additional remarks from Mr. Calhoun, the bill was laid on the table, but subsequently taken up on his motion, when the proviso, as moved by Mr. Frelinghuysen, was adopted, the clause imposing an additional duty of two cents on lead imported in pigs and bars stricken out, and the bill ordered to a third reading.

On motion of Mr. Tyler, the senate proceeded to the consideration of executive business, and after remaining sometime engaged therein, the doors were opened, when

The senate took up the bill to provide for the satisfaction of the French claims, &c.

Messrs. Chambers and Webster addressed the senate in support of the bill, and Mr. Forsyth in opposition to it. When Mr. Forsyth had concluded, the bill was, on his motion, postponed until Thursday next.

The resolution providing for the distribution of the returns of the last census was taken up and agreed to; and then the senate adjourned.

June 18. The chair communicated from the treasury department the monthly accounts of the bank of the United States, and of the state banks where the public moneys are deposited.

Mr. Smith presented the petition of 736 electors of Tolland county, Connecticut, complaining of the effect of the executive measures against the United States bank, and praying the restoration of the deposits, &c.

The petition having been read, &c.

Mr. McKean rose and said it had been stated in the public prints, that he had said, in his place, as a senator, that a majority of the citizens of Pennsylvania were opposed to the removal of the deposits. He averred that he had never publicly or privately said any such thing, nor should he now presume to give an opinion one way or the other. What he had said on a former occasion, was—that he would vote to restore the deposits, not because his own mind had changed, nor because he believed the restoration would afford relief, but because a very large majority of his constituents, who had expressed an opinion on the subject, had asked for the restoration as a measure of relief; and for so doing he had been denounced as a traitor. But how stands the case? A statement made by one of the under secretaries, from the senate files, showing the number of individuals from Pennsylvania who had petitioned that body to restore the deposits, and those who had remonstrated against the restoration, gave this result—40 different memorials, signed by 38,700 freemen of Pennsylvania, complained of distress and prayed for the restoration, while there were but six memorials signed by only 571 individuals, who remonstrated against the restoration, exhibiting a majority of 38,129 in favor of restoring the deposits.

In giving his vote for the restoration of the deposits, he had not consulted the mere will of the executive. He was, what he professed to be, the sincere friend of Andrew Jackson, though he detested many of the reptiles that were basking in the beams of his effulgence, and, without authority presuming to act and speak in his name. He was there as the representative, in part, of the people of Pennsylvania, and, if he understood their interest and knew their will, he would advocate the one and obey the other, please or displease whom it might.

Let the question be tested exclusively on party ground, and let the friends of general Jackson only be heard, and he was certainly within bounds when he said, that of the 38,700 petitioners: at least 8,000 of them were general Jackson's sincere friends, and very many of them his most active supporters, several of them as well as himself, members of the electoral college in 1832, and gave him their votes. Then we have 8,000 against 571, fourteen Jackson men in favor, to one Jackson man opposed to the restoration. Let the question be considered as you please, either as a matter of expediency, or as purely a party question, his vote was right.

Mr. Clay followed in some strong remarks, and concluded by presenting two memorials from Pennsylvania, and proceedings adopted at two meetings in Kentucky.

Mr. Knight presented a similar memorial from 400 inhabitants of Kent county, R. Island. The above memorials were read, &c.

Mr. Brown presented a memorial from a large meeting of the citizens of North Carolina sustaining the executive in its measures against the bank, which was referred, &c.

Mr. Preston reported a resolution authorising a gold medal to be struck, with suitable emblems and devices, and presented to col. Creghan, and swords to each of the following officers, capt. James Hunter, lieutenants Benjamin Johnson, Cyrus A. Burdler and John Moeke, and ensigns Edmund Ross and Joseph Duncan, in testimony of the high sense entertained by congress of their gallantry and good conduct in defence of Fort Stephenson, (or Fort Sandusky.)

On motion of Mr. Webster, the bill making appropriations for the support of the government for the year 1834, was taken up.

A long discussion ensued on a motion by Mr. Preston to postpone the bill until Tuesday next, in which Messrs. Preston, Webster, Forsyth, Clay and Grundy participated.

Mr. Preston finally withdrew his motion, and the senate proceeded to consider the amendments reported by the committee on finance, several intervening ones being agreed to, the last amendment was arrived at, which proposes to strike out the second section, including Mr. Vance's limitation with respect to custom house officers' compensation, and substitute a clause, proposing to pay to the collectors, naval officers, surveyors, clerks, weighers and markors in the several custom houses, the same compensation as they would have been entitled to if the act of 1832 had not passed, for the year 1833-4; provided that in no case the compensation of weighers, gaugers, markors or appraisers, by salaries or fees, shall exceed \$2,000 per annum, and that where two offices combine in one person, he shall not receive more than 2,500 dollars.

[The amendment of which this is an abstract, was agreed to next day].

The senate adjourned.

June 19. After the reception of petitions, the senate took up the bill to provide for the indemnification of American citizens for French spoliation, which, after a short debate, was postponed until the next session of congress.

The remainder of the day was occupied in the details of the general appropriation bill without finally acting upon it, having however adopted all the amendments reported by the committee on finance, and some others moved in senate.

The senate then adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, June 13. The resolution submitted by Mr. J. Q. Adams, making certain inquiries concerning the state deposit banks, together with the amendments moved thereto by Messrs. Polk and Beatty, coming up,

Mr. Beatty withdrew his amendment. After which the resolution was debated by Messrs. Adams, Polk and Wayne, until the expiration of the morning hour; when

The bill to fix the northern boundary line of the state of Ohio, was taken up, the question being on Mr. Vance's motion to refer the bill to a select committee of seven members, which was agreed to.

The joint resolutions from the senate moved in that body by Mr. Clay, on the subject of the removal and future deposit of the public moneys coming up in order.

Mr. Polk moved to lay the first resolution, declaring the secretary of the treasury's reasons for the removal "insufficient and unsatisfactory" on the table.

Mr. Whittelsey, under the impression that the object of Mr. P. was to proceed with the appropriation bills, suggested its being simply laid aside and taken up in turn.

Mr. Polk persisted in his motion.

Mr. Crockett rose and asked a call of the house. He proceeded to say that his colleague (Mr. Polk) had been dodging round this question all the session, and now he asked that it be laid on the table. I had a hope, said Mr. C. that we had a chance to meet the question fairly, and let members stand up to the rack and say to their constituents, that we have supported the laws and constitution. This question is to test that fact, and I

hope to meet it upon its merits, and say to the country, by our votes, whether we have a government or not. Mr. C. was called to order so repeatedly, that we could not hear distinctly what he said, as it was not a debatable case. Mr. C. concluded by asking for the yeas and nays on the call, which were ordered; and the roll having been gone through, 211 members answered to their names, and excuses having been made for some of the absent members—

Mr. Crockett moved that the sergeant-at-arms should be dispatched to bring up those members, for whom excuses had not been made.

Mr. Anthony, however, opposed this motion, and having moved a suspension of further proceedings on the call.

Mr. Heister called for the yeas and nays, which having been ordered,

Mr. Crockett suggested the propriety of sending messengers to the absentees, whilst the yeas and nays on this latter motion were being taken.

The house finally suspended further proceedings on the call: yeas 107, nays 76.

The question being on the motion of Mr. Polk.

Mr. W. R. Davis asked whether Mr. P.'s object was to dispose of the subject finally, or merely to have it laid on the table for the present?

Mr. Polk declined answering. The question was not debatable; and it was for the house to say what the final disposition of the resolution should be.

Mr. Chilton rose to propound an inquiry to Mr. P.

Mr. Polk objected, and rose to a question of order, whether it was in order to propound inquiries on a question not debatable?

The Speaker decided that although the question was not debatable, the honorable member had a right to propound an inquiry simply.

Mr. Chilton having made a few remarks,—

Mr. Polk rose in objection and made a point of order thereon. Mr. Denny rose not to propound a question to Mr. P. who appeared so sensitive, but to ask the speaker whether, if a majority should now decide to lay the subject on the table, it was competent, during the rest of the session, for a majority to take it up again?

The speaker replied in the affirmative—when

The question on laying the first resolution on the table was taken and decided in the affirmative: yeas 114, nays 101.

So the said resolution was laid on the table.

The second resolution, providing for the deposits of the public moneys to be made in the bank of the United States and its branches, after the first day of July next, being then read, Mr. Polk moved to lay it on the table.

Mr. Chilton called for the yeas and nays, which were ordered.

The question to lay it on the table was then put and decided as follows: yeas 118, nays 98.

So the second resolution was also ordered to lie on the table.

The bill to revive the act granting pre-emption rights to settlers on the public lands, approved May 30, 1833, was taken up, and after considerable debate, passed, yeas 124, nays 53.

On motion of Mr. Polk the house took up the bill making appropriations for the payment of Indian annuities, and other similar objects.

A very free discussion upon the merits of the bill ensued, and after adopting sundry other amendments, and one moved by Mr. Binney, to prevent the right of the Senecas to a certain sum therein named, from being prejudiced, the bill was ordered to be engrossed for a third reading, and then the house adjourned.

Saturday, June 14. Mr. Archer, from the committee on foreign affairs, reported a bill to carry into effect the convention between the United States and Spain; which bill was twice read and committed.

The bill making appropriations for Indian annuities was read the third time, passed and sent to the senate.

Mr. McKim asked the unanimous consent of the house to submit the following resolution:

Resolved, That a select committee be appointed to inquire into the expediency of reporting a bill, to authorise the issuing of fifteen millions of dollars in treasury notes, bearing an interest of five per cent. per year, under the direction of a board of commissioners, to be appointed by law for that purpose, to be loaned out by said commissioners to such individuals of the several states, who may apply for a loan, as can give full and satisfactory security for the reimbursement of the same, on the 1st day of July, 1836.

Mr. Williams objecting,

Mr. McKim moved a suspension of the rule; whereupon

Mr. Williams withdrew his objection, in order that this "experiment" might have a trial before the house.

The objections were, however, renewed, and the house finally negatived the motion to suspend the rule, so as to allow the resolution to be offered. The house was thin and about equally divided upon the question.

On motion of Mr. Polk, the house, in committee of the whole, took up the bill making appropriations for certain fortifications for 1834; which with several other appropriation bills, were considered, and then laid aside for the present.

The house in committee of the whole, proceeded to the consideration of the bill making appropriations for the West Point military academy; which bill, after several propositions being made and rejected, going to abolish the school at present, or prospectively, and an animated debate, was laid aside.

The bill regulating the value of certain foreign gold coins within the U. States was then taken up in committee of the whole, read by sections, and after debate laid aside: when

The above mentioned and other bills were reported to the house.

The bill to reappropriate an unexpended balance of the former appropriation for the payment of the Georgia militia claims for the year 1792, 1793 and 1794, was read a third time and passed.

The house adjourned.

Monday, June 16. The house proceeded to the consideration of the memorial of Wayne county, Indiana, praying for the restoration of the deposits and the recharter of the United States bank; when

Mr. McCarty addressed the house at length thereon, avowing that although he had been hitherto opposed to the bank of the United States as at present chartered, yet considering this memorial as an expression of opinion on the part of his constituents as to the necessity of such an institution, which he was bound to receive as instructions from them, he would support a proposition for the chartering of a national bank, with proper restrictions, &c.

A warm and somewhat personal debate ensued between Messrs. Wardwell and Selden, of New York, the former having seized this occasion to prefer charges against the latter of improperly using the franking privilege in his district, which charge was indignantly repelled by Mr. Selden as untrue throughout. The debate was finally arrested by Mr. Grennell, on whose motion the memorial was laid on the table and ordered to be printed.

The memorial from the inhabitants of Franklin county, Mass. of a similar character, was then taken up, read, referred, &c.

The resolutions of the house of representatives of Rhode Island presented on a former occasion, remonstrating against the removal of the deposits, &c. was taken up, when

Mr. Burges addressed the house in their favor, and in condemnation of the various course of the administration.

Mr. Pearce obtained the floor, in reply; but the hour having expired, gave way.

The house then took up the Cumberland road bill.

Mr. Polk moved to reduce the appropriation from 652,120 dollars to 300,000 dollars.

Messrs. Stewart and McKennan opposed the reduction. Several other gentlemen engaged in the debate, which continued until a late hour, when Mr. Polk's motion was rejected.

[On the next day Mr. Polk's motion was reconsidered and agreed to. Several other amendments were proposed, and debated, the whole of which were cut off by

Mr. McKim, who moved the *precious question*, which was seconded, yeas 102—

The previous question having been accordingly put and carried—The main question, which was on ordering the bill, as amended, to its third reading, was decided, by yeas and nays, as follows: yeas 127, nays 72, and the bill was then read a third time, passed and sent to the senate, &c.]

The house adjourned.

Tuesday, June 17. Mr. Ellsworth reported a bill authorising the secretary of the treasury to grant a certain right of way in the city of New York—twice read and ordered to a third reading.

After unsuccessful attempts to make the bill graduating the price of public lands; and the bill relating to the trade with the West Indies, the special orders for certain days,

Mr. Jones, of Geo. asked the unanimous consent of the house to offer a resolution regulating and restricting contracts for carrying the mail, and abolishing extra allowances for any such service.

Mr. Conner intimated that there was a bill covering the whole ground reported in the senate, when the house refused to consider the resolution.

Mr. Walmough made an ineffectual attempt to introduce a resolution inquiring into the late unfortunate affair at Toulon, with a view of making provision for the families of those who were killed on board the French ship of war, by the shot fired from the frigate United States.

The house adjourned.

Wednesday, June 18. Mr. Whittelsey reported a bill amendatory of the act for the relief of the owners of vessels sunk for the defence of Baltimore—twice read and postponed till Friday next.

The amendments of the senate to the bill regulating the value of foreign silver coin were read and concurred in.

The bill authorising the secretary of the treasury to grant a certain right of way in the city of New York, was read a third time and passed.

The residue of the day was occupied in the discussion of the details of the bill making appropriations for harbors, removing obstructions from rivers, &c.

The house, at 7 o'clock, adjourned.

Thursday, June 19. The bills reported by the committee on Indian affairs are to be considered on Wednesday next.

Mr. Polk gave notice that he should move to-morrow to take up the bill regulating the deposit of the public money in the local banks.

A message on the subject of the occurrence at Toulon was received from the president—see page 293.

The harbor bill, after a protracted discussion, was finally disposed of by being laid on the table; and then the house adjourned.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have collected and collated a variety of articles in relation to the decease of LAFAYETTE, and the honors conferred on, or about to be paid to, his memory, at many places in the United States—but have thought it best to withhold them, at present, and until we have further advices from France, except the proceedings had in congress, which will be found in their proper places. The president has issued his orders to the army and navy to honor the memory of the last of the generals of the revolution—which we thought was in type until just about to prepare this sheet for the press, and so it must be postponed.

The hall of representatives and the senate chamber are both clothed in mourning, in conformity with the resolutions unanimously adopted by congress in consequence of the death of general LAFAYETTE.

We think it is very appropriate, that the senate appointed a committee of *thirteen*, and the house of representatives a committee of *twenty-four*, to consider and report what token of affection ought to be paid to the memory of LAFAYETTE. The first has reference to the old thirteen states, the second to the present twenty-four, and so links two period of time together. See the proceeding of congress.

On Monday last, the president sent to the senate the nominations of *Roger B. Taney*, as secretary of the treasury, and of *Benjamin F. Butler*, as attorney general. The first was rejected—28 to 18, and the latter confirmed, on the following day. These results, we believe, were universally expected. The senate had already pronounced its judgment on Mr. Taney, in declaring that his reasons assigned for the removal of the deposits were insufficient, &c.

On the same day, the nomination of *Andrew Stevenson*, as minister to England, was rejected, 23 to 22.

The injunction of secrecy on these proceedings having been removed, an account of them will be found in a subsequent page.

It is rumored that Mr. *Forsyth* is to be secretary of state, Mr. *Polk* secretary of the treasury, and Mr. *Benton* secretary of war.

Among the interesting articles contained in the present sheet, is an extract from the executive proceedings of the senate on the nomination of Mr. *Stevenson*.

We think that this case, "take it all in all," involves the consideration of important principles—and therefore have added a review of it from the "National Intelligencer," with an intention also to insert an argument on the other side, should one be presented—as no doubt it soon will be in the "Richmond Enquirer," if the senior editor of that paper has gained sufficient strength to prepare it.

We do not believe that "corruption must [necessarily] become the order of the day," if members of congress are appointed to office—nor think it right that the acceptance of a place in the national legislature should either disqualify a person from an appointment, or prevent the president and senate from the selection and confirmation of individuals supposed well fitted for other public employments; but, as with Mr. *Ritchie*, and other of the old republican editors, we found fault with the too numerous selections made by president *Monroe*, we must stand opposed to the much more numerous nominations of president *Jackson*—the latter having preferred more (or about as many) of these, in less than five years and a half, than all his predecessors had done in forty years.

And besides, Mr. *Stevenson's* case is a peculiar one. With Mr. *Livingston's* letter of the 15th *March*, 1833, in his pocket, he was a candidate for the office of a re-

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presentative of the people, in *April*, 1833.\* Does any one believe that the voters of his district would have elected him, had this fact been made known to them? But the closeness with which the secret was kept, does not affect the principle on which they would have rejected him. It was a carrying out of this principle that caused his rejection by the senate—for the vote on his nomination shews that it was not a party one. Had it been so, the majority against him would have been nine, instead of one only. And we have good reasons to believe, but for that letter his nomination would have been confirmed, perhaps, by a handsome majority—though several things had happened to render Mr. S. unpopular with the senate, whose right to reject is just the same as that of the president to nominate, and equally rests upon the constitution. The good opinion of the president which induces him to nominate, not being entertained by the senate, may as well induce them to reject. The rule of action in both cases is the same.

The *Globe* says—"Mr. *Taney*, whose nomination was rejected on Tuesday by the senate, but whose commission extended, notwithstanding, to the end of the session, resigned his office on Wednesday. Mr. *McClintock Young*, the chief clerk in the department, has been appointed acting secretary *ad interim*."

The house of representatives has passed a bill regulating deposits of public money in local banks. Of this bill the *official "Globe"* delicately says—"Its fate in the senate may be argued from the circumstance that a majority in that body are the subjects of the bank of the *United States*." The house of representatives has hardly escaped a like condemnation, and, perhaps, at the next session, will receive it.

The chairman of the senate's committee on the *public lands* will continue his investigations of the subject during the recess of congress. The deposition of *Edmund Rowe* has been published, and shall be copied by us, with such other parts of the report already made as may appear necessary.

The senate has directed that their committee on the *post office* shall continue the investigation of the concerns of that department during the recess. The house directed the appointment of a committee for that purpose, on Thursday last, on which the "National Intelligencer" says—

As no debate preceded or accompanied this motion, we are somewhat at a loss how to take it. If this committee be intended to follow up the good work in which the senate has been the pioneer, it will be well. If the committee is intended for any other purpose, it is very certain that it will not answer that purpose. Nothing but full inquiry and development of the abuses, now admitted to exist, can satisfy the country.

Mr. *McDuffie*, who went home on account of ill health, has returned, and is again attending the house of which he is a member; and two or three other gentlemen who were sick, have recovered, or are convalescent.

In the evening session of the house of representatives, on Thursday, all the amendments to the *general appropriation bill*, which has been so long depending, were disposed of satisfactorily to the two houses; and that bill now wants only the signature of the president to become a law.

In a subsequent page we insert the yeas and nays on the Kentucky contested election, and on the resolution

\*If we are not much mistaken, it was charged against Mr. *Stevenson* that he had a promise of this appointment, in *April*, 1834—but stoutly denied on the part of his friends. If so—we shall soon have the facts.

from the senate declaring the reasons of the secretary of the treasury, for the removal of the depositories, unsatisfactory and insufficient. For laying the latter on the table there were 114 yeas, 101 nays—deficient 26 votes, in which are included the speaker, and five vacancies. Of the 20 actually deficient votes, seven were from Virginia, three from Pennsylvania, &c. See page 307.

Henry Hubbard, at present a member of the house of representatives, has been elected a senator of the United States from New Hampshire, in the place of Samuel Bell, whose period of service will expire on the 3d of March next. The votes were, for Mr. Hubbard 27, Icabod Bartlett 59, Jonathan Harvey and scattering 12—and 17 members were absent or did not vote.

The nomination of Thomas Flood, to be re-appointed register of the land office at Zanesville, in Ohio, (which office he had held for a term ending in March last), has been rejected.

A correspondent of the New York American, under date Washington, July 16, said—

In the course of the past week, Mr. Polk astonished the house, by reporting that the committee of ways and means, of which he and Mr. Cambreleng have, it is well known, complete control, recommended the rejection of a bill passed by the senate, for the relief of the Roman Catholic church in St. Louis. The circumstance has created much sensation here. The inhabitants of that city, it would appear, have received a present of a set of bells, from France, of the estimated value of six or seven thousand francs, [say \$1,500] the duty on which was claimed, and a sum of \$618 deposited at New Orleans with the collector, to wait the result of an application to congress to permit this importation free, which, under such circumstances, was usual. Mr. Verplanck always acted on the principle that all ornamental or useful articles of any kind, designed for public edifices of any kind, presented to them, as free gifts, were, for so much, a public benefit, and as such, ought to be admitted free of the duty on importation.

We always thought such things were admitted free of duty, as a matter of course, by congress, like cases having frequently occurred.

We are often amused at some of the "hits" made in congress. The two following are of recent occurrence—

In the house of representatives, when considering an appropriation bill—

Mr. Schley, of Georgia, moved to strike from the bill making appropriations for public buildings, a clause appropriating \$6,000 for additional furniture for the East Room (unfortunate apartment) of the president's house—but as he ascertained that the articles had been furnished, he withdrew the motion. Mr. Ewing, of Indiana, expressed some surprise that no application had been made for new furniture for the kitchen. He thought it needed it, and would be willing to make an appropriation for that purpose.

In the senate, when discussing an item concerning a documentary history of the United States, to be published by Peter Force and M. St. Clair Clarke, Mr. Chambers—

In reference to something which had fallen from Mr. Hill, on the subject of rewarding printers, &c. said he would tell a story. He was once travelling over the Alleghany mountains, when he stopped at a hut, kept by a respectable old gentleman who entertained men and horses. Conversing with the old gentleman on the subject of rattlesnakes which abounded there, he (Mr. C.) made some inquiries, and gained some information as to their natural history. "I don't know how they live," said the old man, "but I know how they die. There is an old stump a little from the hut, where an old rattlesnake lived for a great many years, and died at last from the poison of his own venom."

In reply to which—

Mr. Hill said, that the senator from Maryland had told a story about a rattlesnake, but he had not told the whole. The attention of the old man was called to the stump by the cackling of an old goose. He had not before understood the value of a cackling goose.

Mr. Chambers. I am likely to understand its value, as I have just heard it.

In one of the transient debates in the senate concerning the affairs of the post office—

Mr. Grundy asserted his opinion that the president was not cognizant originally, but he pledged himself that he would take measures to satisfy himself fully on that head, and the senate too, in the course of the next week! Mr. Clay said he would have been much better pleased if the hon. senator [Mr. Grundy] had, instead of giving his opinion on this subject, come forward as he might have done if it was the fact—and been au-

thorised—and contradicted the statement that he had known of all this illegal conduct. Mr. Grundy took occasion to say, that his opinion was not formed upon any conversation with the president, but was entirely from a different source. "From which of the cabinets, may I ask," said Mr. Clay. The senator from Tennessee, with that tact for which he is distinguished, parried off this interrogatory with the joanlar retort, "once for all I tell you, I know nothing of the persons composing the one the senator alludes to, and I had it not from the other; and I do not desire it either; but from the frequent allusion of the senator from Kentucky himself to it, I suppose he must be familiar with them."

[We have heard it broadly stated that the president was not "cognizant" of the report made to the senate concerning the post office, until the present week.]

A Washington correspondent of the New York Evening Post, thus writes of a speech of Mr. Sutherland:

"Mr. Binney quailed under this reply, and remained in his seat, unable to answer."

The preceding is recorded as one of the curiosities of the times.

The rapid oblivion into which the "politics of the day" generally pass, unless registered in some work of easy reference, is shown from the occurrence of an incident that we are about to state. A few days ago, a much valued friend in congress, applied to us for a copy of the infamous "East Room letter," which originally appeared in the "Richmond Enquirer," dated at Washington, Jan. 1, 1827, and addressed to the editors of that paper—which they said, (on the 27th April), was sent to them by "one of the most intelligent and distinguished members of congress!" Always wishing to answer such requests, we referred to our own work, and soon found, in the 37th vol. page 116, an extract from that letter, and which, perhaps, contains all that was said about the "East Room"—but, desirous of sending the letter entire, we caused a search to be made for it, and some hours were expended in vain; and, though we have since overhauled a full bushel of cuttings from newspapers, to assort them and reduce them into classes, we have not found it.

In noting this incident, we have been led to suggest, that some one should publish an entire copy of that letter, and add thereto, from the official statements, the true amount of moneys expended on, or in or about the president's house, in the four years of the last administration, and since, giving all the particulars—for the use of some of the "retrenchment" members of congress, at the next session, and especially the "distinguished" writer of the letter.

"The Newport, Rhode Island, Mercury completed its seventy-sixth year on Saturday, the 14th. It was originally started on June 12, 1758, by James, the elder brother of Dr. Franklin. The latter was a constant contributor to its columns."

This must be among the oldest, probably the oldest still existing newspaper in the United States. Mr. Ritchie, of the Richmond Enquirer, is, perhaps, the oldest editor (though not the oldest man), who is now in the performance of a continued line of editorial duty. Messrs. Gales & Seaton, of the "National Intelligencer," are also old editors of the same class, and much our seniors. We have nearly reached the end of the 23d year of the publication of the Register, commenced by us in 1811, and have some desire, if such be the will of Providence, that we may conclude, as its editor, the 25th year, or 50th volume of this work.

Speaking of editors and papers, we are reminded of a visit that we lately paid to the printing establishment of Messrs. Gales & Seaton. After the capitol and president's house, it is the most interesting object in Washington. There is nothing to compare with it in America—and few more extensive and efficient in Europe. The whole number of persons employed in this establishment was 165—including the bindery and folding departments, of whom about 35 are females, who are found very expert and faithful in handling the paper for the power-presses, of which we think there are eight—viz: four steam presses, with a perpendicular pressure, which perform beautiful work, at the rate of about 500 sheets each, per hour; three cylinder presses, whose operations are much more rapid, driven also by the steam engine, and

one cylinder press worked by man-power, in the turning a large wheel. The latter is used for the "National Intelligencer." There are besides a large number of the usual hand-presses, a few of which are employed on small jobs, or, when there is more work than the power-presses, running even day and night, can perform, in any desired space of time; and the cylinder presses, too, it may be observed, proceeding at the rate of about 2,000 sheets an hour, instead of printing 8 octavo pages at once, print 16—the paper used being made, and the types prepared, for that purpose. But we are not sufficiently acquainted with the statistics of this splendid and well managed establishment to go into details—all the operations in which are performed with a clock-work-like regularity, and without bustle or the appearance of hurry; and there was a *cheerfulness* and *attention* and *tidiness*, too, in the whole, which delighted us. But we hope that, soon after the rising of congress, our friends may be induced to give a particular account of the *capacity* and *doings* of their printing house, to gratify a laudable public curiosity, and add an interesting item to the state of the press in our country.

It is not, certainly, either proper or convenient, at all times, to pass visitors through this great establishment—which, if ordinary means were used, performs the labor of, perhaps, three hundred persons—and, besides, the old laws of the "chapel," as printing offices were called, are against such proceedings!—but we believe that Messrs. Galcs & Scaton, when at leisure to wait upon visitors, generally feel much pleasure in receiving their friends and acquaintances, and in explaining to them the *mysteries* of "the art preservative of all arts," if mindful of FRANKLIN'S warning—

"All you who come this curious art to see,  
To handle any thing must cautious be;  
"Lo, this advice we give to every stranger—  
"Look on with welcome—but to touch there's danger."

Some excitement has been caused in New York, by certain projects entertained in the city concerning the notes of the banks in the interior, that they might be received and deposited at their par value; or, in other words, be changed from *merchandise* into *money*, without the intervention of brokers. These projects are opposed by many, if not most, of the interior banks, on the ground that they would reduce the circulation of their notes, on which a considerable part of their profits is earned.

What may be expedient at the present moment, and under existing circumstances, it is difficult to determine; but we have no hesitation in believing that the stand taken on the part of the interior state banks, is not tenable on general principles—for the notes of like state banks, with solitary exceptions, until very recently, were *money* in Boston, Baltimore, Richmond and Charleston, respectively—and partially so at New York and Philadelphia; and it has never appeared to us that those state banks which kept up the par value of their notes at the chief seats of the commerce of their neighborhoods, were less profitable to their stockholders than others; and, as those who pursued that policy less frequently failed or became embarrassed than others, the *public confidence* gained operated powerfully in their favor.

We shall offer two examples—and many more almost equally striking might be adduced, but these will be sufficient for demonstrating the true principles of a paper currency. The old bank of Delaware, at Wilmington, and the bank of Chester county, at West Chester, Pa. are, probably, the richest and strongest banks in the U. States, regard being had to their capitals, and their annual dividends and surplus profits, have seldom, if ever, been rivalled—never excelled, for a period of years. Philadelphia is the centre of the commerce of Delaware and of Chester county, and the banks named (except during the suspension of specie payments during the war), have always kept their notes at par in Philadelphia, where they are received with the same freedom, in all matters of business, as the issues of the banks of that city. The consequence is, that all persons, and in all places, who have dealings in Philadelphia, as confidently receive and hold the notes of these banks as those of the bank of North America, or of the bank of the United States, either of which latter may be easily obtained for the for-

mer, if desired for other or more distant operations. Hence the opinion entertained, and acted on, seems well founded—that keeping the notes of these banks at par in Philadelphia increases the circulation of them.

Boston may be regarded as the centre of the commerce of New England, though Connecticut, Rhode Island and Vermont have large and *intimate* connections with New York. But at Boston the notes of all the banks of New England, solitary cases excepted, are at par, and so have been for several years; and we have never heard that the country banks, as they are generally called, suffered on account of it.

The New York "Journal of Commerce" has an essay on this subject, with an extract from which we shall conclude this article:

"The proposed arrangement ought not to be considered as a demand upon the country banks. The system as it operates in Boston is mutual, perfectly so. The country and city banks are all participants in it upon the same principles exactly. There is no danger that the circulation of the country banks will in the aggregate be greatly diminished. Those which concentrate in Boston, have quite as much circulation as is healthy. Their condition by the last returns respectively was as follows:

Banks.	Capital.	Loans.	Specie.	Circulation.
In Maine	\$2,727,000	\$4,157,576	\$108,403	\$1,303,671
In N. Hampshire	2,271,308	3,390,826		1,236,643
In Boston	16,401,250		617,618	2,823,617
In Mass. out of Boston	11,835,000	45,261,003	274,601	5,005,493
In R. Island	7,438,848	9,191,846	403,696	1,264,394
In Connecticut	5,708,015	7,480,275		2,557,227

"By this statement it appears, that the banks in Maine, New Hampshire, Connecticut and Massachusetts out of Boston, have a circulation of about half the amount of their capitals respectively, while the circulation of the Boston banks is only equal to one-sixth of their capital. The proportion of circulation to specie, is in Maine as 12 to 1, and in Massachusetts, out of Boston, as 18 to 1, while in Boston it is but as 4 to 1. The proportions in Rhode Island do not appear to correspond with those any where else."

A New York paper says—

Of the nine or ten banks incorporated by the legislature of this state at the last session, books of subscription for the stock of five, including the Phoenix bank of this city, whose capital was increased from \$500,000 to \$1,500,000, have been opened, with the following results:

Banks.	Where.	Stock offered.	Am't of bids.
Phoenix bank	New York	\$1,000,000	\$3,146,925
Lafayette do.	do.	500,000	1,849,000
Commercial do.	do.	500,000	1,206,150
Albany city do.	Albany	500,000	1,142,900
Orleans Co. do.	Albion	200,000	680,200
Total		\$2,700,000	\$8,115,175

Or in other words, taking the five banks in the aggregate, three times the amount of stock was bid for, which there was to be sold. Phoenix bank stock, for which \$106 per cent. was paid, is now selling at \$111. Commercial bank, \$103 for \$100 paid. Stocks of the other banks have not yet been in the market.

These great subscriptions would shew a superabundance of money—but the amount taken by individuals, on which an instalment only is paid, is larger than they expected to have assigned them, and variously increased that, in the division of the stock, they might obtain some certain desired number of shares.

The U. S. Telegraph of the 20th instant, says—

The secretary of the senate, in compliance with a resolution of the 9th instant, present statements made up to the 18th inst. showing the aggregate numbers of all who have presented petitions, memorials, &c. for or against the executive measure of removing the public deposits. We give the result of inquiry:—

For restoration of the deposits to the bank of the United States	48,020
For restoration of the deposits and recharter of the bank	63,103
For the recharter of the bank	16,994
For adopting such measures as will give relief	23,248
Against restoring the deposits and against rechartering the bank	17,027

The "London Times" of the 8th May says—

"Since the fate of this establishment [the bank of the United States] is sealed by the sole fiat of the president, it has been thought necessary in some of the states to come to the assistance of public credit by authorising state loans."

That is, in the *economics* of the day—that money is to be borrowed on paper, and to be loaned on paper—though all who do business on borrowed capitals "ought to break," and a specie currency is the only one that ought to be tolerated!

The "Globe" of Tuesday last, speaking of the "gold bills" says—

The important bills, one to raise the value of domestic gold, and the other to raise the value of foreign gold, were received in the senate yesterday, read twice by unanimous consent, and referred to the committee on finance.

The effect of these bills will be to raise gold 63 per cent. on its legal value; but not that much on its market value, which is now two or three per cent. above the legal value. The foreign bill applies to the gold coins of Great Britain, France, Spain, Portugal, Mexico, Brazil and Colombia. All these coins are to pass by weight, at 63 per cent. advance upon their former legal value. The acts are to take effect from the 31st day of July, after which time, the coins, both foreign and domestic, will be legal tenders at the advanced rates. This date was fixed to give the community time to prepare for the change; but, in point of fact, the coins will all begin to circulate, by common consent, from the day of the passage of the bills.

The readers of the REGISTER know that we have long been advocates for reducing our own arbitrary value of gold, as compared with that of silver, so that the currency, as measured by either, might be placed upon a more generally acknowledged standard of equalized value—as well as that we were in favor of giving to the pound sterling, as measured by gold, its actual value when measured by silver. The latter was accomplished with sufficient nearness in the tariff bill of 1832—and it is rested upon the principle now contended for, but without any hurrah being made about it. We wished to get rid of the "filthy dowlass" used in the manufacture of bank notes of a less denomination than five dollars—to do which a gold currency is most convenient and easy; but we doubt whether the proposed advance on the legal value of gold is not so high as to cause future embarrassments as to the legal value of silver, and so "make a jump out of the frying pan into the fire." One per cent. under the "market value" of gold is the maximum of what we consider prudent, on the present occasion. It is enough to keep our gold at home, for common use, when exchanges are at fair rates; and further than this, all regulations of the value of metals are mischievous, and will recoil on the heads of the makers of them—else "history is not philosophy teaching by example."

The legal value of coins should not be changed without much close observation and serious investigation; and the senate, we hope, will rather refuse to pass the bill than risk the necessity of other changes of such value of them, much as we desire the circulation of American gold coins—the material for which appears quite abundant in the United States, under wholesome regulations.

The N. Y. Journal of Commerce, speaking of the "coin bills" says—

The first which has passed both houses, makes the dollars of Spain, Mexico and the South American states legal, at the same value with our own dollars.

They are, in fact, a little more valuable, as they contain a little more silver. It also makes the five franc pieces of France, legal at 93 cents each. This law is to remain in force for two years, and is little else than the rescuscitation of a former law which had expired.

The second bill relates to the gold coins of the United States, and changes their weight as compared with silver from fifteen to one, the present standard, to sixteen to one; in other words, raising the comparative value of gold about six and a half per cent. An eagle will upon the basis of the bill contain no more gold than has been valued at \$9 35. In other words, 65 cents worth of gold will be deducted from its weight and value, and it will yet be legal, at ten dollars.

The third bill relates to foreign gold coins, and makes them legal, according to their real value, by the same standard with our own.

DOLLARS. By an assay made at the mint in England, it appears that the Patriot dollars, as they are sometimes called, are "in every respect as valuable, or rather better in weight and fineness, than the dollars coined in Mexico before the separation of that country from Spain, and commonly known under the "pillared dollars," and the government had directed that in future these coins shall be received "in the negotiation of bills and otherwise in the commissariat department, and in all payments to the army and navy," the same as other foreign coins, and at the same value as the old Spanish pillared dollars.

There is a homely, but very expressive, saying—"It is not worth while to cry over spilt milk." And, acting on this maxim, we have not latterly said much about the expediency of additional protection to the national industry; and besides, in the present arrest of enterprize and wreck of business, the people seem to have enough to do in an instant preservation of themselves. The time may come,

however, when the importance of such protection will again manifest itself—and lead us, at least, into a due regard for reciprocity in our dealings with other nations.

In the mean time, however, it is our duty to insist that the terms of the "compromise," as it has been called, shall be duly observed—and that the amount of protection intended to be given, or retained, shall be afforded. From various circumstances, it could hardly have been expected that a revision of the tariff laws should take place at the present session of congress—we mean with a sole view to enforce a just construction of these laws; but we entertain a hope that they may be considered at the next meeting of congress; and are confident that a large majority in both houses will agree to the passage of an explanatory act which shall prevent decisions like the following:

A New York paper contains the report of a law case, which may be interesting to a portion of this community. It was an action to recover the amount of a bond passed by the defendant to the collector for 750 dollars, being the duty claimed at three cents per lb. on iron stays or studs, and links, imported by the defendant, but which he contended was illegal, and should have been but one cent per lb. on the stays as castings of iron not otherwise specified, and that the links should have been admitted duty free as a non enumerated article, or at valorem as a manufacture of iron. The collector claimed duty on both articles as parts of iron chains, partly manufactured, and as such subject to three cents per lb.

Verdict. That the links were subject only to a duty of 25 per cent. ad valorem as a manufacture of iron, and the studs to one cent. per lb. as castings of iron not otherwise specified. This verdict reduces the amount of duty claimed by the collector nearly 75 per cent.

For the United States, Mr. Price, the district attorney, and Mr. Philip Hamilton.

For the defendant, Messrs. Charles Walker and D. Prescott Hall.

The *Fardowns* and *Corkonians* have entered into a treaty of peace to respect the laws of the United States! after further harrassings of our people, and additional outrages upon one another.\* It is stated that another man was murdered on Tuesday, and several shantees fired—the women and children dispersed, and the beds, &c. destroyed. Such people must be clearly convinced that proceedings like these will not be permitted—in this "land of liberty." A mistaken humanity has caused the death of several persons.

The Irish employed on the Chenango canal, New York, were also, recently, in a state of riot—assaulting individuals and destroying dwellings; and were put down by the presence of a military force.

An editor in Kentucky requests the president to issue a writ of *feri facias* against the bank of the United States! This is "going the whole"—in stupidity.

An appalling catastrophe has happened at Louisville, Ky. as related in the following letter:

Louisville, June 12th. A shocking occurrence took place here last week. A Mr. C. married Miss Buckner last week, a beautiful and interesting woman, of one of our most respectable families. On that evening Mrs. Buckner (the mother of the bride) had a large quantity of custard made and sent to the houses of her married children. On Sunday Mrs. Foster (her daughter) was taken ill, and died in a few hours. While the company was assembling for her funeral, a daughter of her's became suddenly ill, and the funeral was postponed, that both might be buried together. Before this took place, Mrs. Buckner died; and, one after the other, eight have died, and nine more are dangerously ill.

Poison having been suspected, the servants are all in prison, but there is no evidence, external or internal, to prove the charge. The contents of the stomach show no appearance of poison. The symptoms in all resemble those of Asiatic cholera—yet no one else in town has been attacked, and not one of that devoted family who avoided the custard. All who ate of it have died or are ill. The physicians and magistrates are all in alarm and haste, and no two people seem to agree in opinion as to the true cause of this melancholy visitation.

We have no speculations to offer on the awful facts presented. We have no information that the cholera prevails in Louisville—and believe that it does not; but some venture an opinion that a predisposition to the disease existed, which some peculiar property in the cus-

\*They also attacked an American laborer and left him for dead—they may have mistaken him for one of their own dear countrymen.

tard gave immediate action. If there was no poison in it—such seems a reasonable solution of this mysterious visitation.

There does appear to be an over-ruling PROVIDENCE, which rewards or punishes persons even in this world. Some years ago, several citizens of Baltimore were suspected of being engaged in the African slave trade. What became of them, and where are they? Every one that we heard named as concerned in that trade, became a bankrupt—an utter bankrupt, as well in reputation as in money matters, and those who yet live have not retained an atom of character since, nor returned into that class of society to which they once belonged.

Thus it has been with great dealers and jobbers in false stocks—the herd of *gambling speculators*, every where, though not with such a general overthrow. Many of them are beggars, though they once rode in their own coaches—and others, who counted by hundreds of thousands of dollars, may need 25 cents to purchase bread. One of this herd, *Malapar*, of New York “Marble bank” memory, in extreme distress, lately applied at the police office in that city, and was admitted to an asylum in the poor house!

A number of persons have been arrested in Maine, as being engaged in the manufacture of counterfeit half dollars, on a large scale. One of these is a postmaster, and another a deputy sheriff! The dies and apparatus of the rogues were also seized.

There has been a great deal of forgery and robbing of banks at New Orleans—and in exceedingly large amounts. One person concerned has killed himself—to avoid the visitations of conscience. But just after that event was known—

“Jacques Gaudoin, says the New Orleans Courier of the 6th instant), the porter of the Canal and Banking company, robbed the bank yesterday afternoon of about \$41,000. It is supposed that he took passage in the schooner *Creole* for Tampico. Five thousand dollars have been offered for his apprehension.”

This person has been caught and nearly all the money recovered.

The Danville and Pottsville rail road company, not being able to dispose of their loan, (guaranteed by the state of Pennsylvania), have obtained a temporary relief of 50,000 dollars from the bank of the United States.

The following notices a very important improvement in the navigation of canals. We have long thought that steam power would supersede that of horses:

The western division of the Pennsylvania canal has been navigated by steam! Last week a steam canal boat (*Adeline*) came up from Pittsburgh, and went on to Johnstown. She returned on Sunday morning with a load of 40,000 lbs. of blooms passing this place very handsomely at the rate of rather more than three miles an hour, and making less wave in the water than a boat drawn by horses. She is propelled by means of a fixture of peculiar construction, which works in a recess of the stern entirely under water. The enterprise of the proprietors is worthy of commendation, as well as the hope that it may prove profitable to them. [Beaver Argus.]

The “Journal of Commerce” says—

“The *Silas Richards*, it will be seen, brings very few goods. All the ships are returning nearly empty. If they continue to do so, the quantity of goods on sale this fall will be very small indeed, for we do not fear that the stocks held over, are in general very large; though in some articles at least, considerably larger than usual.”

James Dunlop, esq. of Chambersburgh, Pa. has written a letter to the editor of the “National Gazette,” in which he expresses a decided opinion that Mr. John McClintie, of that place, has invented a mode of preventing the explosion of steam boilers, not only in preventing “the excessive generation of steam, arising from deficiency of water and over heated boilers, but at the same time provide the means of obviating the disastrous effects of elastic fluids when suddenly and unexpectedly produced.”

The machinery is said to be simple, and will soon be submitted to the scrutiny of scientific men.

From our personal knowledge of Mr. Dunlop, we have reason to hope that an important discovery has been made, which will, in due time, be proclaimed.

A few persons in the north are seeking distinction by certain indiscreet proceedings, to say the least of them, concerning the abolition of slavery—and they obtain it, in the frequent and uncalled for notices which are taken of those proceedings. “Let them alone!”

A certain rev. *Samuel H. Cox*, lately preached an abolition sermon in New York, in which he said that “Jesus Christ was a colored man.” This produced a good deal of feeling, and Mr. Cox comes out to vindicate himself. He speaks of “our overwearing prejudice in favor of the European complexion, and against all others,” and reasserts, that the Saviour was, “in the ordinary acceptance of the term, a colored man,” having been an Asiatic; and adds the following note in support of his position:

Dr. Good follows many other great writers in the quintuple division and classification of the human species; as follows, the race

EUROPEAN OR CAUCASIAN,  
ASIATIC OR MONGOLIAN,  
AMERICAN ABORIGINAL,  
AFRICAN OR ETHIOPIAN,  
AUSTRALIAN OR MALAY.

Gmelin has pursued the same general divisions, but has merely distinguished the respective races; and accordingly his five classifications are the white, brown, copper colored or red, black, and tawny man. The Asiatics, according to Gmelin, are “brown.”

Of this, as the second variety, says Dr. Good:

The color of the ASIATIC OR MONGOLIAN, the BROWN MAN, of Gmelin, is yellowish brown or olive, with scarcely ever an appearance of red in the cheeks, which seems to be confined to the European variety.”

The people of every color (and it is well that it is so), are prejudiced in favor of their own. We paint “Auld Clontie” black—the Ethiopian says that he is *white*. We call our Indians “copper skins,” and they speak of us, with contempt, as “pale faces”—and so on. All are prejudiced. The most thorough-going abolitionist will not agree to marry his son or his daughter to a negro—for, if even himself so full of zeal as to entertain no personal objection to such a connexion, he has too much respect for the prejudices of the people, at large, to permit it; and we think that Mr. Cox ought to have acted on this principle, even if capable of proving that “Jesus Christ was a colored man”—recollecting also, that “the ordinary acceptance of the term, a colored man,” in the United States, at least, has reference to those of the African race, and *not* to the Asiatic or American.

A great fire lately happened in Gerintown, Penn. In one hour and fifteen minutes, after it was discovered in Philadelphia, distant six miles, 5 engine companies, and 8 hose companies, with their apparatus, were on the spot, ready for action. The Philadelphia firemen present on this occasion, were between four and five hundred. It was in the dead hour of the night, and they dragged their own engines and hoses. This wonderful performance well deserves a record, that it may be imitated. The disinterested service, enterprise and perseverance of this useful class in our chief cities and towns, has never been properly appreciated. Their zeal, it is true, sometimes leads them into extravagancies. We recollect an instance, in Baltimore, when a party of firemen, with their apparatus, proceeded four or five miles into the country, to put out the most beautiful and brilliant *Aurora Borealis* that we ever saw, supposing the light to have been caused, by the burning of one of the large factories located north of us! But such things are easily excused in the motive that prompts them.

The following notices of an accident that happened on the rail road near Philadelphia are chiefly inserted, that the facts stated may be the more extensively made known, and guarded against, in future—

The “United States Gazette” says—Two of the Union rail road cars, of the Union line company, were, on Friday morning, (13th inst.), attached to a train of burthen cars, to ascend the inclined plane, on the west side of the Schuylkill bridge. When they had nearly arrived at the summit, the coupling of the burthen cars gave way, by which accident one of the laden cars, with the two containing passengers, were forced down the plane, with an impetus that is beyond description. When with

in a few rods of the bridge, the train came in contact with a burlen car loaded with sand; the shock was tremendous; the pleasure cars rose in the air, and came down in atoms; the passengers were thrown in different directions; and, what is most remarkable, all escaped with their lives, and none dangerously injured, though several were bruised, and one gentleman had his arm fractured. The four individuals who were injured, are at the Pennsylvania hospital, and are doing well.

Another paper says—We have been requested by one of the engineers on the Philadelphia and Columbia rail road, to copy the following paragraph relative to the melancholy accident that occurred on the inclined plane a few days ago:

In reference to the lamentable accident which happened on Friday, on the inclined plane of the Columbia rail road, it is proper to mention that the rapid descent of the cars was not occasioned by the breaking of the rope, but by the giving way of the connecting iron between two of the cars. The cars, it seems, were not attached in the manner that they should have been, by being fastened to the rope, which, we are told, is sufficiently strong to carry up almost any weight. As soon as the accident happened the persons in attendance, no doubt much terrified by the threatening danger, jumped off the cars, instead of applying the break, which would have arrested their progress, and prevented any serious consequences.

The "Baltimore Gazette," with reference to the preceding, observes—It appears by an article which we insert to-day, from the Philadelphia United States Gazette, that a very serious accident has occurred on the Columbia rail road, by which the lives of a number of passengers have been put in very great peril.

It would seem that this affair is the effect of a most culpable negligence on the part of the conductors of the business on that road. We are led to this conclusion from the account, as we find it stated, of the circumstances, and are confirmed in the opinion from the fact, that although the planes on the Baltimore and Ohio rail road, at Parr ridge, are regularly passed four times within every 24 hours by trains of passenger cars, two of which passages are performed in the night, and although these planes extend over a distance of four miles, and are elevated about 400 feet high, yet, so far, not one accident has occurred to any passenger of passenger car while crossing them.

It may be further remarked, that notwithstanding more than eighty thousand passengers annually travel this rail-way, no serious injury has been sustained by a single individual of them from any accident on the road.

We are happy to add that no loss of life has followed this accident—nor has any permanent injury been inflicted. Had those who had charge of the cars performed their duty, we think that the defect of the fastenings might have been encoerced by the "breaks." The writer of this was once descending the inclined plane, No. 3, on the Baltimore and Ohio rail road, in a very heavily loaded car, at the rate of not less than 10, and, perhaps, fully 12 miles an hour, (being nearly at the foot of it), when the horse fell—and, though the hind feet of the horse were yet lying on one of the rails, when he and others got out of the [stopped] car to assist in putting things to rights—such had been the resolution and promptitude of the driver and his assistant, and the power of the "breaks" used by them, that the horse, though exceedingly frightened, had not received the least discoverable injury, and proceeded to his resting place us though nothing had happened.

Since the preceding was prepared, we notice the following from the Evensbury (Penn.) Spy—

It becomes our melancholy duty to record three disastrous deaths which have occurred on the Portage rail road. On Saturday last a car broke loose at the head of plane No. 1, and descending with inconceivable velocity, struck against and broke one of the posts of the shed at the foot of the plane. A respectable stranger, the only person in the car, was thrown, by the violence of the concussion, a distance of sixty feet, upon a slope wall, from which he rolled into the Conemaugh. He was immediately taken out. Life was not extinct, but his skull was fractured and his body much bruised. Medical aid was procured as soon as practicable, and every attention given to relieve his suffering, but in vain. He languished in a state of stupor until Sunday evening, when his life ceased.

On Monday last, Mr Michael Gallan of Summerhill township in this county, was sitting on the front part of a train of cars, in company with Messrs. John Hammond, Thomas Pipes and Layton, the captain of the cars. In the attempt to gain the centre post between the turn outs near plane No. 3, the train came in violent contact with another approaching from the opposite direction. As soon as the danger was perceived, all, except Mr. Gallan, leaped from the car. He, not possessing equal presence of mind, continued in his seat. When the cars met he was crushed between them and instantly killed. Mr. Gallan has left four small children to mourn the infortunate death of the last of their parents, their mother having died only a few weeks since.

On the same day, a woman said to be of the name of Monahan, was killed by a car passing over her at plane No. 10.

All these things are the result of criminal carelessness, and ought to be punished, or are the effect of foolhardiness, which sometimes meets with its own reward.

When a fatal accident, however, happens on board a steamboat or on a rail road, every body hears of it, and it is repeated over and over again—but if persons are killed in any of the old fashioned conveyances, the fact is mentioned, and soon forgotten as a thing that must be expected to happen—now and then. Millions of persons have travelled in steamboats on the waters of the Chesapeake, but we believe that not more than four passengers have lost their lives by accidents to them. And we see it stated in an English paper, that out of 1,369,000 persons who have travelled by the Liverpool and Manchester rail road, one passenger only has been hurt!

Died on the 23d ult. in Davidson county, (Tenn.) at his residence in Jones' Bend, Mr. Alexander Donelson, sen. aged 85 years. The deceased was the eldest brother of the late Mrs. Jackson, wife of general Jackson, and the last but one of the numerous family of children of col. John Donelson, sen. one of the pioneers of the west, who emigrated to Tennessee as early as the year 1780. The deceased was an honest man and virtuous citizen. He was esteemed and respected by all who knew him.

[Banner.

The following awful account of what recently happened at Lyons deserves record, and may serve as a caution, to all who are unwilling or unable to "look on blood and carnage with composure." It is from the Journal des Debats.

Lyons, April 13, 1 o'clock, P. M. This is the fifth day of our sorrows. Since Wednesday the noise of the cannon and the musquetry has never ceased. The Croix Rousse was reduced on Thursday, the Guillotiere on Friday, and yesterday the quarter of the Cordeliers, the head quarters of the insurrection, was taken by assault, but the quarters of the Grand Cote and of St. Just still hold out.

I visited the interior of the town this morning. What a frightful spectacle! I have seen houses burnt, others leveled by cannon balls. Upon the place St. Come all the shutters and doors of the magazine are broken to pieces. The alley of Arque is sacked. The houses from which the soldiers were fired upon have suffered greatly, and their inhabitants have been put to the sword! I have neither strength nor time to enter into details, which you will learn too soon. Never did foreign invasion, never did a seige itself, produce so many horrors of any kind.

We hope that we touch the end of this frightful drama. God grant that we may not deceive ourselves.

No republican of any note has appeared at the head of the insurgents. The only thing certain is the damage which probably amounts to 50,000,000 francs in property of every kind.

The London Court Journal, of the 5th ult. contains an article entitled—*Memoranda and recollections relative to America*. Its spirit and tenor may be judged of by the following complimentary introduction!

"The temper and manner of the Americans are not suited to those of our countrymen; they are narrow minded and low bred; they show no generosity, nor boldness of mind, nor that patriotic spirit of love to the country which is natural to us, who are indigenous to a soil, and descended from long lines of ancestors, from which we have inherited national attachment and family pride. They trace no such ancestry. Every man is for himself. They are colonists. All emigrated from this country; some even as convicts; adventurers—all unconnected with each other. Few, if any, are in the rank of gentlemen, or have had a liberal or classical education. All religions are tolerated among them, from which a liberal turn of mind might be expected; but, on the contrary, they are pedantic and caustic. Most of them are Presbyterians or Quakers—sly, severe and enthusiastic, yet mostly self-interested. They have a general apprehension that they are despised by this country, and they are sensible of having been oppressed and insulted; for which they retain an implacable resentment."

The project of opening a regular intercourse, by steam, between England and India, by way of the Mediterranean to a point on the Nile, thence by land to Suez, and down the Red Sea, &c. to Bombay, is again much spoken of. The journey might be made in a little over forty days, including all necessary stoppages.

Different islands in the British West Indies appear to be very differently situated, as to the emancipation of the

slaves, which is about to be commenced under the laws lately passed. In some the whites seem indifferent, in others they are "setting their affairs in order," for removal, and in some much fear exists for their personal safety.

**LIST OF BRITISH PREMIERS.** The following list of the different British prime ministers during the reigns of George third, George fourth, and William fourth, are interesting, as showing the comparative duration of the various administrations:—

Duke of Newcastle.....	6th April 1754
Earl of Bute.....	29th May 1762
George Grenville (father of the present lord).....	16th April 1763
Marquis of Rockingham.....	12th July 1765
Duke of Grafton.....	2d August 1766
Lord North (afterwards earl of Guilford).....	28th Jan. 1770
Marquis of Rockingham.....	30th March 1782
Earl of Shelburne.....	30th July 1782
Duke of Portland.....	5th April 1783
William Pitt.....	27th Dec. 1783
Henry Addington (now viscount Sidmouth).....	17th March 1801
William Pitt reappointed.....	12th May 1804
Lord Grenville.....	8th Jan. 1806
Duke of Portland.....	30th March 1807
Spencer Perceval.....	23d June 1810
Earl of Liverpool.....	8th June 1812
George Canning.....	11th April 1827
Viscount Goderich.....	10th Aug. 1827
Duke of Wellington.....	11th Jan. 1828
Earl Grey.....	22d Nov. 1830

Calculating from this list, it would appear that the average duration of a ministry is about eight years.

**LAURENS STREET, NEW YORK.** In the board of assistant aldermen, Mr. Tallmadge, president pro tem, offered a resolution in relation to this noted street, prefaced with explanatory remarks, which we take from the Gazette.

It was well known, said Mr. T. that the corporation have no control over that part of Laurens street, between Canal and Spring st. which is private property, and consequently it has become a great nuisance. The street is very much broken up, and abounds with filthy pools of stagnant water, and heaps of garbage and offals, constantly undergoing fermentation. It was also tenanted in a manner very prejudicial to the health of the neighborhood. He had been called to that quarter in his official capacity to quell a riot, and also as a health warden, and had been at the pains to investigate the condition of the inhabitable. House No. 33, he had found inhabited by twenty one whites, and ninety-six blacks, and in a small building in the rear by 10 blacks—the next house contained 30 whites and sixteen blacks, the rear 15 blacks—the next in order was inhabited by 45 whites and 42 blacks, and the ten houses adjoining each other, commencing with No. 33, he had found to be inhabited by no less than 280 whites and 173 blacks, being in all 453, and an average of 45 persons in each house. He thought the street should either be ceded to the corporation or closed. Mr. Tallmadge then offered a resolution, that the subject be referred to a law committee, to report on the power of the corporation and the proper course to pursue, which was adopted.

**NEW ECHOTA, Ga., March 23, 1834.** Gentlemen: We have the misfortune to inform you of the loss of a very valuable citizen, to this part of the country, particularly at this time. Mr. Eli Hicks, son of William Hicks, formerly one of the Cherokee chiefs, was shot by some out-lying savages, on Tuesday evening, the 11th of this instant. There are a considerable number of Indians that live by theft altogether, and remain camped out all the time, in unfrequented swamps and mountains, with their ill-gotten property. Mr. Hicks has been a vigilant band to ferret out these violators of the laws, and bring them to justice, and has stood as a shield and protector to the white population in this part of the country, ever ready in lending them his assistance in recovering their stolen property. Mr. Hicks was an advocate for the removal of the Cherokees west of the Mississippi—he advocated and aided the policy of Georgia. In fact, he was an intelligent white man in principle and policy, and this brought him into disrepute with these outlaws. About the 10th of this month, a smoke-house, the property of a white man was broken open and robbed; Mr. Hicks, as was usual on such occasions was called on to apprehend the robbers; he ascertained that they were camped in a swamp in the bend of the Oostanaulee river, about twelve miles below this place. In company with two other men without arms, (as was usual for him,) he went upon them; when within a short distance, they fired upon him and shot him through the abdomen. He lived two days and expired. We have since learned, that about six of these outlaws have got together, blacked themselves, and threaten to kill several others, myself among them. I would add, that these were the same Indians who broke my store on the 3d of November last, and were released by the inferior court of DeKalb county, without assigning a reason.

Very respectfully, yours, &c. WILLIAM J. TARVIN.  
Messrs. Griene & Orme.

**IMPRISONMENT FOR DEBT.** An act abolishing imprisonment for debt has passed the legislature of Massachusetts by large ma-

jorities in both branches. It consists of but two sections, and is to take effect on the 4th of July next.

The first section enacts, that no person shall be arrested, held to bail, or imprisoned on mesne process, for any debts contracted after the 4th July, without oath by the plaintiff that the debt is justly due, exceeds ten dollars, and he believes the debtor is about to leave the jurisdiction of the court for the purpose of avoiding payment.

The second section provides for the speedy release of debtors, by the poor man's oath before the return day of the writ, in open court on trial, or by the judge or justice, after judgment; so that the person may be exempt from execution. The plaintiff has the privilege of one continuance to prove that the debtor has property which is not exempted by law, in which case the person and property are both subject to process of execution, as before the passage of the new law.

**THE EARTHQUAKE IN SOUTH AMERICA.** One of the papers contains some further particulars of this terrible calamity. We make the following extract:

Pasto, 22d Feb, 1834. I have to inform you that the town of Santiago, adjoining the parish of Sibundoi, situated to the east, and at the distance of 12 or 14 leagues, was built over a hidden volcano, which burst on the 20th ult. at 7 o'clock in the morning. The earth shook so violently, that that alone ruined the ancient Rio Bamba, which may afford you some means of drawing a comparison. A run of land about 3 leagues long and two broad, sunk with the forest which covered it; and its superficies presents now the aspect of a savannah, covered with stones and sand. Although the trees which covered the spot were as old as the world, there has not a root of them remained, nor even a leaf to indicate the place where they stood.

During 24 hours that the earth shook without ceasing for one instant, the town and environs were rendered a heap of ruins; the cottages of the peasants were swallowed up by the earth which yawned at every point, and the churches of Santiago and Sibundoi were ruined, and also my house, under the ruins of which I was buried. But as if by a miracle I escaped from my sepulchre,—for the same convulsion which swallowed up my house, threw it up afterwards upon the superficies of the earth, and I then managed to get out, although I was dreadfully crippled. The waves which the earth formed, rolled in every sense of the word, similar to those of the sea, and to as great a height as happens when the ocean is enraged by a tempest. Eighty persons were swallowed up by them, with all their live-stock; and the only ones that could escape were those of us who were able to run up a hill, which although it shook as well as the rest did not sink, neither did the waving of the earth affect it.

PEDRO LEON Y LOPEZ.

Santa Martha had also been visited by a severe earthquake, or series of earthquakes, on the 22d, 23d, 24th, and 25th Feb, which destroyed the principal edifices, and materially injured the whole city.

The first and most severe shock lasted about 45 seconds, and was followed in about 5 minutes by another of nearly equal severity and duration. In the course of that and the next 4 days, no less than SIXTY shocks were experienced; and at the last accounts they had not ceased.

The earth opened in many places to the width of 6 inches; and warm sulphureous water was thrown forth.

No lives were lost,—which is to be attributed to the fact that the first and most severe shock took place while the inhabitants were in their houses; as the falling of the tiles, &c. would most probably have caused the death of great numbers, had they been in the street at the time. Several persons, however, were severely injured.

The city was completely deserted at the latest accounts, the citizens having removed into the country, with the exception of a few persons who were living in tents on the beach.

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**TWENTY-THIRD CONGRESS—FIRST SESSION.**

SENATE.

June 20. Mr. Southard reported the following bills, which were severally read and ordered to a second reading:

A bill to authorise the transfer of appropriations made for the naval service of the United States, from one object to another; A bill making certain changes in the titles of the officers of the navy;

A bill to establish a naval academy;  
A bill to establish and regulate the navy ration; and  
A bill for the enlistment of boys for the navy.

Mr. Southard also reported, a bill granting pensions to the wounded French seamen, and to the families of those who were killed on board the French ship Suffren, by the United States frigate United States, in the harbor of Toulon; which bill was soon taken up, amended and passed.

The chair presented a report from the secretary of the treasury, giving certain information called for relative to the officers of the customs.

Mr. Poindexter made a report, in part, on the subject of certain frauds committed in the sale of public lands, accompanied by sundry documents.

Mr. Poindexter said he now laid before the senate all the evidence the committee had been able to collect during the present session. Immediately on the senate's instituting the inquiry, the committee had caused commissions to issue for the purpose of collecting testimony, directed to persons in Mississippi,

which did not reach them until *two months* after they were sent from here, although they should have done so in *twelve days*. The clerk of the committee was willing to make affidavit that he, on the 1st of April last, directed and put into the post office here, five letters, to individuals in Mississippi, and here was an answer to one of them dated *Clinton, June 1st*, which the gentleman had only received the day before.

On motion of Mr. *Poindester*, the deposition of Mr. Edmund Rowe, detailing certain fraudulent proceedings, was read.

Mr. *Poindester* said that Mr. Rowe was a gentleman of respectability and integrity, and that his character was vouched for by the hon. James Barbour, and his brother, the hon. Philip P. Barbour, of Virginia.

Mr. *Forsyth* said the deposition exhibited some extraordinary facts; he had no objection to the printing of the affidavit, and to its being placed in possession of the treasury department. He however, subsequently, said he had some doubts as to the propriety of printing the documents, inasmuch as they were of an *exparte* character; and should not, therefore, be published without first giving the persons charged an opportunity of being heard.

After a desultory debate, the report and documents were ordered to be printed.

Mr. *Poindester* then offered the following resolution, which lies on the table until to-morrow:

*Resolved*, That the chairman of the committee on public lands be authorised, during the recess of congress, to proceed in the investigation of the alleged frauds in the sales of the public lands, commenced during the present session, by issuing commissions, to take depositions in relation to such frauds, and the conduct of the officers appointed to superintend said sales by law, directed to such persons in the several land districts as he may select for the purpose. And, also, that he be authorised to extend said investigation into the conduct of the commissioners or agents appointed by the president to locate the Indian reservations under the treaties with the Creeks, Choctaws and Chickasaws, and the frauds, if any, which may have been committed in the purchase or sale of said reservations, and the testimony so taken shall be reported to the next session of congress.

Mr. *White* made an unfavorable report on the petition of John Ross and others, on behalf of the Cherokee tribe of Indians; which was laid on the table.

Mr. *Waggaman* submitted a resolution inquiring into the expediency of making an appropriation to complete the erection of towers, barracks and store houses in the vicinity of New Orleans, which was agreed to.

On motion of Mr. *Wilkins* the senate went into executive business, and when the doors were opened the senate adjourned.

June 21. On motion of Mr. *White* the general appropriation bill was taken up, in committee of the whole, and, after several other amendments being proposed—

Mr. *Forsyth* moved to amend the bill by striking out the appropriation for the documentary history of the United States, to be published by Peter Force and Matthew St. Clair Clarke, under a contract with the department of state, made in pursuance of the act of congress of March, 1833, and to insert in lieu thereof an appropriation of \$15,000, to remunerate Messrs. Force and Clarke for all expenses hitherto incurred by them under said contract.

This amendment was proposed on the ground that the law under which the contract was made was loosely framed; that the secretary of state, Mr. Livingston, had transcended the powers intended to be conferred on him; that the expense would amount to an enormous sum, say \$400,000, and that congress, in passing the law, had exceeded its powers, and consequently the contract formed under the law was void *ab initio*.

The amount of the appropriation was subsequently increased to \$20,000, on motion of Mr. *Mangum*, and after a very animated debate, the amendment was agreed to, by the following vote:

YEAS—Messrs. Bibb, Black, Brown, Calhoun, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Linn, McKean, Manuquin, Morris, Preston, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—23.

NAYS—Messrs. Bell, Benton, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, Leigh, Naudain, Poindester, Porter, Prentiss, Robbins, Silsbee, Smith, Southard, Sprague, Tomlinson, Tyler, Waggaman, Webster—22.

The further consideration of the bill was then suspended by general consent; when—

A message was received from the house of representatives stating that the house had passed a joint resolution providing for a joint committee to consider and report by what token of respect and affection it was proper for congress to manifest the deep sensibility of the nation in the event of the death of general Lafayette.

Mr. *Webster* said, that he had prepared a resolution, which, as it happened, was almost in precisely the same words as that received from the house, and then moved that the senate concur in the resolution just received, and appoint a committee on its part.

The senate then agreed to appoint a committee of thirteen, which committee, on motion of Mr. *Chambers*, was appointed by the chair; whereupon the following gentlemen were appointed to compose said committee: Messrs. *Webster, White, Calhoun, Clay, Forsyth, Wilkins, Tyler, Poindester, Benton, King, of Ala. Chambers, Brown, Shepley.*

A message was received from the president of the United States communicating the intelligence of the death of general Lafayette, and stating that he had issued orders to the army and navy to have the appropriate honors paid to the memory of the deceased; which was referred.

The senate again resumed the consideration of the general appropriation bill, when,

Mr. *Poindester* submitted an amendment, providing that no money, to be paid out under this act, or any other act passed at the present session of congress, shall be paid in any bank note or notes not of par value at the place where they shall be paid.

This amendment, (after a motion by Mr. *Benton* to amend it by striking out all after the word "congress" and inserting the words "unless in specie, if so required by the holder of the warrant or the payee," which was lost), was negatived, ayes 17, nays 25.

The bill was then reported to the senate, and the several amendments adopted in committee of the whole were concurred in, with the exception of the amendment relative to the appropriation for the publication of the documentary history of the revolution, by Clarke and Force: and,

On motion of Mr. *Webster*, the bill was postponed to, and made the order of the day for, Monday next.

The bill to establish a port of entry at Natchez, Mississippi, was ordered to a third reading, and then the senate adjourned.

June 23. Mr. *Hill* presented certain resolutions of the legislature of New Hampshire, sustaining the course of the executive in his measures against the bank, &c.

After a speech from Mr. *Hill*, and a reply by Mr. *Bell*,

Mr. *Webster* said the paper could not properly be received. It was not a memorial; contained within it no request to be laid before congress, and that its presentation was wholly unauthorized.

Mr. *Benton* contended that it should be received, inasmuch as it contained instructions to their representatives.

Mr. *Webster* said he was willing to let them remain on the table for a day, to enable the gentleman from Missouri time to find a precedent.

The resolutions were then laid on the table. Mr. *Ewing* presented a memorial from Portage county, Ohio, remonstrating against the measures of the executive.

Mr. *Sprague* submitted the following resolutions: *Resolved*, That the postmaster general be directed to communicate to the senate all the papers in his department relative to the investigation of the conduct of James Curtiss, late postmaster at Eastport, Maine.

*Resolved*, That a committee of five members be appointed to examine the condition and proceedings of the post office department, with power to send for persons and papers; and to take the depositions of witnesses, either by personal examination, or on commission, with permission to sit in the recess of congress, and to report at the next session.

The following bills were read twice and committed:

The bill to regulate the value of certain gold coins;  
The bill concerning the gold coins of the United States, and for other purposes;

The bill authorising the selection of certain Wabash and Erie canal lands in the state of Ohio; also

The resolution giving the right of way through the United States property at Harper's Ferry, to the Winchester and Potomac rail road company.

At one o'clock the senate proceeded to consider the general appropriation bill. The question being on concurring in the amendment of the committee of the whole concerning the documentary history of the revolution—

Mr. *Southard* moved to strike out the amendment, and to substitute one making an appropriation, without interfering with the contract, and instructing the secretary of state to institute an inquiry into the character of the contract, &c. during the recess.

Mr. *Southard's* amendment was adopted, ayes 25, noes 20.

Among other amendments one was adopted by a vote of 20 to 19, providing for the pay and mileage of E. R. Potter, while contesting the seat of United States senator from Rhode Island; after which,

On motion of Mr. *Webster*, the bill was postponed until to-morrow.

The senate then went into executive business, and after being engaged therein some time, the doors were opened, and then the senate adjourned.

June 24. Mr. *Morris* presented the proceedings of a convention of delegates from six counties of the state of Ohio, sustaining the course of the executive in relation to the bank of the United States; which was read, &c.

Mr. *Tomlinson* presented the memorials of about 1,600 citizens of Windham county, Connecticut, complaining of the pecuniary embarrassments occasioned by the removal of the public funds from the custody of the bank of the United States, and the unwise and disastrous interference of the executive with the currency and labor of the country; which was read, referred, &c.

Mr. *Hill* moved that the senate take up the resolutions of the New Hampshire legislature, presented by him yesterday.

A debate ensued, in which Messrs. *Clay, Hill, Poindester, Ewing* and *Benton* participated; and the senate finally refused to take up the resolutions by the following vote:

YEAS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Leigh, Linn,



Morris, Robbins, Shepley, Tallmadge, White, Wilkins, Wright—18.

**NAYS**—Messrs. Bibb, Callhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Mangum, Moore, Naudain, Poindester, Prentiss, Porter, Preston, Robinson, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggoner, Webster—36.

The resolutions submitted by Mr. *Poindester* for continuing the investigations of the committee of public lands during the recess of congress, relative to the frauds alleged to have been committed in land sales, was considered and adopted.

Mr. *Robbins* presented the proceedings of a meeting of the citizens of Kent county, Rhode Island, disapproving the measures of the executive relative to the finances and the bank of the United States; which were read, &c.

On motion of Mr. *Southard*, it was ordered that the senate in future meet at 10 o'clock for the residue of the session.

After the first and second readings and reference of a number of bills from the house of representatives, the senate proceeded to the consideration of executive business, and after spending some time therein, adjourned.

June 25. The chair communicated the report of the operations of the mint for the last year.

After several reports had been made and disposed of on private claims,

Mr. *Naudain* reported, without amendment, the bill amendatory of the act for the relief of sundry owners of vessels sunk for the defence of Baltimore during the last war; which was read a third time and passed.

The bill to establish additional land districts in the territory of Arkansas; was read a third time and passed.

The bill to amend the act, entitled "an act for the better organization of the courts of the United States in the state of Alabama," was ordered to a third reading.

The bill providing for the payment of property lost, captured or destroyed during the late war, was laid on the table.

Mr. *Webster* made a report on the tokens of respect to be observed on the occasion of gen. Lafayette's death, which, as the senate would probably adopt the resolutions from the house, he would not ask for the reading of.

The bill making appropriations for Indian annuities and for other purposes for the year 1834, was taken up, amended and passed.

The joint resolutions from the house of representatives, manifesting the deep sensibility of congress on the occasion of the decease of the late general *Lafayette*, was passed through the different stages by unanimous consent and adopted.

[The following were Mr. *Webster's* brief but fitting remarks on this occasion—

"I shall not presume, Mr. President, to utter one word of eulogium on the extraordinary personage of whom these resolutions speak. The proceeding in which we are engaged is intended to manifest the sense of congress and of the people of the United States. It is a proceeding in which none are to lead, and none to follow; but in which all are to be equally active, and equally prominent, as all are equally sincere and equally ardent, in expressing a nation's gratitude to a nation's benefactor.

On an occasion so solemn, so affecting, I content myself with simply moving that the resolutions be put to vote; and I do this with entire confidence that they will be passed, not only without hesitation or dissent, but with earnest, emphatic—I may say, even, with enthusiastic unanimity."

Mr. *Preston* submitted a joint resolution rescinding the resolution of the two houses fixing on the 30th day of June as the day of adjournment, and authorising the adjournment to be made on the day of July; which was read and ordered to a second reading.

The amendments of the house to the *Toulon* pension bill were considered and agreed to.

The resolution submitted by Mr. *Sprague*, providing for the appointment of a committee to continue the investigations into the affairs of the post office department during the recess, was taken up for consideration, and having been modified by Mr. *Sprague*, so as to refer the investigation to the standing committee on the post roads, instead of to a select committee—

Mr. *Forsyth* suggested that it would be the better course to refer the subject, by a special resolution, to the president of the United States, and to throw on him the responsibility of making the examination. He supposed the object was not to establish criminality.

Mr. *Sprague* said his object was to have a full examination, and as the next session of congress was a short one, previous investigation was necessary. It was not his object to establish criminality, but that which might be one of the results. He had no desire to put responsibility on the president, as he was sufficiently disposed to assume it. The business had been already in his hands, and if he was disposed to do his duty, no act of the senate, in authorising an investigation, could prevent him.

Mr. *Forsyth* denied that the information collected by the committee, and at present only known to them, was yet before the president. He moved to postpone the consideration of the resolution till Saturday.

The motion to postpone was negatived, and the question on the resolution was then decided as follows:

**YEAS**—Messrs. Benton, Bibb, Black, Callhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Grundy, Hendricks, Kane, Kent, Knight, Linn, Mangum, Moore, Naudain, Poin-

dester, Porter, Prentiss, Robbins, Silsbee, Smith, Southard, Shepley, Sprague, Swift, Tyler, Tomlinson, Waggoner, Webster, White—33.

**NAYS**—Messrs. Brown, Forsyth, Hill, King, of Alabama, King, of Geo. Morris, Robinson, Tallmadge, Tipton, Wright—10.

So the resolution was agreed to.

At the request of Mr. *Clayton*, he was excused from serving on the committee.

The following resolution, submitted yesterday by Mr. *Silsbee*, was considered and agreed to:

*Resolved*, That the secretary of the treasury be directed to report to the senate, at the commencement of the next session of congress, the amount of revenue collected, and the amount of tonnage entered at each of the custom houses of the United States, the amount and rate of commissions charged by each of the collectors on the revenue collected by him, and the amount of fees received at each of the custom houses for each of the two last years. Also the number of officers, of every description, employed at each of the custom houses, the amount of emoluments, of every kind, received by each of those officers, and the expenses incident to their respective offices, for each of the two last years, stating whether such emoluments arise from commissions, salaries or fees, and how much from each of those sources, and stating also whether any, and if any, such of these offices or officers as may be dispensed with, without injury to the public service.

The bill amendatory of the tariff act of July 1832, was read a third time and passed.

At 2 o'clock the senate took a recess of two hours.

*Evening session.*

The resolution reported by the committee on Indian affairs on the petition of John Ross and others, requesting the president to ascertain and inform the senate at the next session of congress, on what terms the claims of the state of Georgia and of her citizens can be extinguished to the Cherokee lands within her limits, was taken up—

After some remarks from Mr. *Forsyth* in opposition, and of Messrs. *White* and *Frelinghuysen* in its support, the resolution was finally laid on the table by a vote of 32 to 17.

On motion of Mr. *Ewing*, the post office report was laid on the table for the present.

The general appropriation bill was considered, amended and passed, and sent back to the other house for concurrence in the amendments.

June 26. The resolution presented yesterday by Mr. *Preston*, concerning the adjournment of congress, was taken up, and after the blank being filled with the 7th day of July, was, on motion of Mr. *Clay*, laid on the table by a vote of yeas 25, noes not counted.

Mr. *Southard* was chosen a member of the post office committee in the place of Mr. *Clayton* excused from serving.

The bill concerning navy pensions was read a third time and passed.

Mr. *Silsbee* submitted a resolution requiring a statement to be made at the next session, of the amount of hospital money received since 1798, which was read and adopted.

A large number of public and private bills were passed—but as none of them are of much general importance, a notice of them in the list of acts, which may be expected in our next, will be sufficient.

The bill authorising the relinquishment of the 16th section of the public lands, granted for the use of schools, and the location of other lands in lieu thereof, was taken up and rejected, yeas 18, noes 19.

The senate then took a recess until 4 o'clock.

HOUSE OF REPRESENTATIVES.

*Friday, June 20.* The house, after considerable discussion, agreed to reconsider the harbor bill, as also the vote on an amendment moved by Mr. *Mercer*, authorising an appropriation of \$29,000 for certain surveys, &c.

The house then proceeded to take up the bill regulating the deposits of the money of the United States in certain local banks.

Mr. *Polk*, who had reported the bill, addressed the house in its favor for more than an hour.

Mr. *Foster*, of Georgia, followed in reply and contended that the bank charter, however unconstitutional, was a valid contract, binding the government of the United States, and on this ground as well as to the details of Mr. *Polk's* bill, he opposed its passage.

Messrs. *Wilde* and *Gordon* followed in opposition to the bill. The latter intimated an intention to offer a substitute, providing, in substance, that the collectors of the revenue shall be the agents of the treasury, and the keepers of the public revenue, which shall be paid in the current coin of the union.

The bill for the relief of certain spies employed on the frontier of Arkansas, in 1820; and

The bill creating additional land districts in the state of Illinois and territory of Michigan, were severally read the third time and passed.

Mr. *Archer* reported a joint resolution making provision for the families of those killed, and for those wounded on the occasion of firing the salute at *Toulon*; which

On motion of Mr. *J. Q. Adams*, was recommitted to the committee on foreign affairs, with instructions to report a bill. The house adjourned.

*Saturday, June 21.* After the reading of the journal Mr. J. Q. Adams rose to state that, on coming to the house, he had been informed that since the last adjournment of the house, intelligence had been received of the occurrence of a calamity which had befallen the whole race of civilized man. He had not time to prepare a resolution fitting such an occasion, but he presumed it would be obvious to every person that it was an occurrence peculiarly becoming the congress of the United States to adopt some suitable measure to express the deep sense they entertained of the misfortune involved in the decease of one of the most eminent benefactors of the age and of mankind. It occurred to him that such a duty should be discharged in a manner suitable at once to the dignity of the representatives of the people and states of this union, and to the merits of him to whose memory this tribute should be paid. This he supposed would be, in the form of a joint resolution of the two houses of congress. He would now, therefore, submit a motion that a committee should be appointed to consider in what manner a tribute of affection and respect may be shewn by the congress of the United States expressive of the sensibility of the nation, on the event of the decease, and of their veneration for the memory of the illustrious general Lafayette.

Mr. Adams then offered the following resolution:  
*Resolved*, That a committee of — be appointed on the part of this house to join such committee as may be appointed by the senate, to consider and report by what token of respect and affection it may be proper for the congress of the United States to express the deep sensibility of the nation on the event of the decease of general Lafayette.

After various suggestions, the committee was ordered to consist of twenty-four, and the following gentlemen to compose the said committee:

- From Massachusetts,..... JOHN QUINCY ADAMS, chairman.
- From Maine,..... Rufus McIntire.
- From New Hampshire,..... Henry Hubbard.
- From Rhode Island,..... Tristram Burges.
- From Connecticut,..... Nonan Allen.
- From Vermont,..... Honan Allen.
- From New Jersey,..... C. C. Cambreleng.
- From Pennsylvania,..... James Parker.
- From Delaware,..... Henry A. Muhlenberg.
- From Maryland,..... John J. Milligan.
- From Virginia,..... Isaac McKim.
- From North Carolina,..... William S. Archer.
- From South Carolina,..... Lewis Williams.
- From Georgia,..... Henry L. Pinckney.
- From Kentucky,..... James M. Wayne.
- From Tennessee,..... Richard M. Johnson.
- From Ohio,..... John Blair.
- From Louisiana,..... Eliska Whittlesey.
- From Indiana,..... Philemon Thomas.
- From Mississippi,..... John Carr.
- From Illinois,..... Harry Cage.
- From Alabama,..... Joseph Duncan.
- From Missouri,..... John Murphy.
- From Missouri,..... William H. Ashley.

Mr. Archer reported a bill making provision for the families of those killed, and for the wounded survivors on the occasion of firing the salute at Toulon.

Mr. Polk reported a bill providing appropriations for carrying into effect certain Indian treaties—twice read and committed.

Mr. E. Everett submitted a resolution which was agreed to, distributing the copies of the System of Penal Law for the United States, by Edward Livingston.

Mr. Mercer submitted a resolution calling upon the secretary of war for estimates of the cost of works of internal improvement for which surveys have been made, &c.

The bill concerning the gold coins of the United States was taken up, read the third time, amended and passed, ayes 145, nays 36.

The bill regulating the value of certain foreign gold coins was read the third time, amended and passed.

The house adjourned.  
*Monday, June 23.* Mr. Polk moved that the rule by which this day was set apart for the reception of petitions, &c. should be suspended, for the purpose of taking up the bill regulating deposits in state banks.

This motion led to a desultory and lengthened discussion as to the business which was entitled to precedence; it being finally negatived, the house proceeded to the orders of the day, being the presentation of memorials, &c.

The resolutions from the legislature of Rhode Island presented by Mr. Burges, for the restoration of the deposits and recharter of the bank, coming up as the unfinished business—

Mr. Pearce replied to Mr. B. at considerable length, contending that the resolutions presented by Mr. Burges did not truly express the voice of the people of the state, &c.

Mr. Burges rejoined with great severity to the remarks of his colleague.

The controversy was at length ended by a motion to lay the resolutions on the table, which motion prevailed.

The house then took up the harbor bill.  
 The question being on the amendment moved by Mr. Mercer, appropriating \$29,000 for surveys, including \$7,000 for arrears.

*Tuesday, June 24.* The speaker laid before the house a letter from the clerk stating that he had performed the required service of arranging and making a digest of the returns of state banks, and that the statement was now ready for the press.

After several reports upon private claims had been made and disposed of,

Mr. Grayson reported a bill to provide for the establishment of a navy yard in the city of Charleston; which was twice read and committed.

Mr. Polk reported the bill from the senate concerning the duties on lead, which bill was committed.

Engrossed bills of the following title, were severally read a third time, passed and sent to the senate for concurrence.

A bill to construct a road from the northern boundary of the territory of Florida, to the town of Appalachicola in said territory.

A bill to mark and open a road from Columbia to Little Rock, in the territory of Arkansas.

A bill for the survey of certain rivers and roads, and for the improvement of a harbor in the territory of Michigan.

A bill amendatory of an act for the relief of sundry owners of vessels sunk for the defence of Baltimore.

A bill to attach the territory of the United States west of the Mississippi river and north of the state of Missouri, to the territory of Michigan.

The bill from the senate granting pensions to certain French seamen who were wounded, and to the families of those who were killed in the salute at Toulon, was taken up, amended and finally passed.

The bill regulating the deposits of the public moneys in the state banks, was taken up, read a third time, passed and sent to the senate for concurrence—yeas 112, nays 90.

Mr. Adams obtained leave to make a report from the select joint committee, on the subject of the death of LAFAYETTE, and reported the following resolutions:

*Resolved*, &c. That the two houses have received with the profoundest sensibility, intelligence of the death of general Lafayette, the friend of the United States, the friend of Washington, and the friend of liberty.

Sec. 2 *And be it further resolved*, That the sacrifices and efforts of this illustrious person, in the cause of our country, during her struggle for independence, and the affectionate interest which he has at all times manifested for the success of her political institutions, claim from the government and people of the United States, an expression of condolence for his loss, veneration for his virtues, and gratitude for his services.

Sec. 3 *And be it further resolved*, That the president of the United States be requested to address, together with a copy of the above resolutions, a letter to George Washington Lafayette, and the other members of his family, assuring them of the condolence of this whole nation in their irreparable bereavement.

Sec. 4 *And be it further resolved*, That the members of the two houses of congress will wear a badge of mourning for thirty days, and that it be recommended to the people of the United States to wear a similar badge for the same period.

Sec. 5 *And be it further resolved*, That the halls of both houses be dressed in mourning for the residue of the session.

Sec. 6 *And be it further resolved*, That JOHN QUINCY ADAMS be requested to deliver an oration on the life and character of general Lafayette, before the two houses of congress, at the next session.

The resolutions were read twice and ordered to be engrossed for a third reading, by an unanimous vote.

The house then adjourned.

*Wednesday, June 25.* On motion of Mr. Whittlesey, it was resolved, that during the remainder of the session, after to-day, the house should assemble for the despatch of business, at 10, A. M. and take a recess from 2 till 4 o'clock.

The speaker laid before the house the annual report of the mint. He also laid before the house a statement showing the proceeds arising from the sale of lands embraced in the Louisiana purchase, and the expenditure for roads, Indian title, settlement of claims, &c. within the said purchase.

Mr. Mercer made a report on the expediency of aiding the state of Illinois in the construction of a steamboat canal from Michigan to the Illinois river; which report was ordered to lie on the table.

Mr. Clayton made a report, in part, on the subject of the salaries of public officers, and the pay and mileage of members of congress—read and laid on the table.

He also made a report recommending the appointment of a committee to sit during the recess, to consider what retrenchment could be made in the several departments of the government—read and ordered to be printed.

Mr. Thomas, of Maryland, reported the following resolution:  
*Resolved*, That Friday next, be, and it is hereby set apart for the consideration of the report of the committee appointed to examine into the proceedings of the bank of the United States, and that this house will continue its consideration for each succeeding day thereafter, until finally disposed of.

Mr. Thomas said he was fully sensible it is now too late to act on the fifth resolution accompanying the majority report; for that reason, it was his purpose to submit, in lieu of that resolution, one, by which the sergeant at arms should be required to notify the persons who have defied the authority of this house, to appear at its bar on a day to be named, early in the next session, to await its further order.

After a desultory debate, the house agreed to consider the resolution, by a vote of yeas 95, nays 65; whereupon

Mr. Wilde moved an amendment that the resolutions reported by the bank committee should be taken up in committee of the

whole, on Friday, and continued from day to day until disposed of.

No decision was had upon the resolution or amendment up to the hour of proceeding to the orders of the day, and the house accordingly took the day up.

The house, in committee of the whole, then proceeded to consider the Indian bills, and severally took up the bill to provide for the organization of the department of Indian affairs; and the bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, and after being amended were laid aside.

The house then proceeded to consider the bill providing for the establishment of the western territory, and for the security and protection of emigrant and other tribes therein.

Mr. J. Q. Adams doubted the constitutional powers of congress in the premises.

Mr. H. Everett affirmed their existence.

The committee then rose and reported the bills and amendments to the house; when the amendment, to the bill organizing a department of Indian affairs, was concurred in, and the bill ordered to a third reading.

The bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, was taken up, amended and ordered to a third reading.

The bill to establish a western territory being taken up,

Mr. Vinton expressed a wish to postpone it until next session, it being an important bill, highly objectionable in its details, and there not being time to consider it properly.

Mr. H. Everett replied to him. He said the provisions of the bill had been submitted to the Indians themselves, who were anxious for its passage.

The house then took a recess until half past 4 o'clock.

#### Evening session.

The house again took up the bill to establish the Western (Indian) Territory; when

Mr. H. Everett, the chairman of the committee, who had reported the bill, went into a full exposition of it, explaining each section, *seriatim*.

Mr. J. Q. Adams explained at large his objections to the bill, following Mr. Everett in his analysis.

An animated debate ensued, in which Messrs. Gilmer and Wayne supported the bill, and Messrs. Archer and Fillmore opposed it. The debate was finally arrested by a motion of Mr. Williams to lay the bill on the table, which prevailed.

The bill to carry into full effect the fourth article of the treaty of the eighth of January, 1821, with the Creek nation of Indians, so far as relates to the claims of Georgia prior to 1802, was considered and ordered to a third reading.

The amendment of the senate to the Indian annuities bill was concurred in, and then the house adjourned.

Thursday, June 26. After various unsuccessful attempts to suspend the rules to take up particular bills—

The house, in committee of the whole, took up the bill to carry into effect certain Indian treaties, which being debated, was laid aside.

The general appropriation bill with the amendments of the senate, was then taken up, and all the amendments agreed to, except one, relative to the compensation of Florida judges, which was disagreed to.

Mr. Polk moved an amendment to an amendment of the senate, the object of which was to appropriate \$25,000 in addition to former appropriation bills, for the contingent fund of the house of representatives; which was agreed to.

The committee then rose and reported the bills to the house; when the amendments to the bill to carry into effect certain Indian treaties, were concurred in, the bill engrossed, read a third time, passed and sent to the senate for concurrence.

The amendments agreed to in committee on the general appropriation bill, as also the disagreement to the senate's amendment, for the pay of the Florida judges, were concurred in by the house.

Mr. Whittlesey moved that the bill be postponed until tomorrow.

Mr. Polk declined, and a debate ensued, and before any final action was taken on the motion, the house took a recess until half past 4 o'clock.

### THE JAMESTOWN JUBILEE.

Norfolk, 25th May.

Agreeably to previous announcement, the celebration of the 27th anniversary of the landing of the gallant captain Smith, with the first colonists of Virginia, at Jamestown, took place on the spot consecrated by that event, yesterday the 24th inst. under the direction of the following gentlemen of Williamsburg: hon. Burwell Bassett, hon. Richard Coke, Doct. J. D. Galt, Dr. T. G. Peachy, professor T. R. Dew, and col. Robert McCandlish. There were, it is estimated, between 1,500 and 2,000 persons present, (and among them a goodly proportion of the fair daughters of Virginia), congregated from distant parts of the state, as well as from the contiguous counties, to enjoy the scene with all its interesting associations, and to contemplate with pious delight, the birth place of their venerated and beloved commonwealth. Our ancient borough contributed a respectable quota of visitors, besides its handsome new rifle company, to do honor to the occasion: about 100 it is believed, went up in the new steamboat Old Dominion, and 20 or 30 in the Patrick Henry. Among the distinguished visitors who attended at the special invitation of the committee, were the hon.

John Tyler, hon. Geo. Poindexter, hon. John Tipton, of the U. S. senate, and gen. Taylor, of Kentucky. The proceedings of the day were chastened by the appropriate solemnity of prayer, by the rev. S. K. Kollock, pastor of the Presbyterian church, at Norfolk, and enlivened by the thrilling touches of impassioned eloquence in an oration by Mr. Moses Bowers, of Williamsburg, a graduate of William and Mary college. The heart overflowing with the virtuous and patriotic sympathies inspired by the occasion, felt no regret at the absence of all display of pomp and pageantry. The scene was one altogether for the contemplation of the philosophic mind.

In the evening the committee escorted their invited guests to Williamsburg, where they terminated the festivities of the day with a splendid supper.

[Williamsburg is about seven miles distant from Jamestown.]

### YEAS AND NAYS

In the house of representatives, on the 12th June, on the question upon the motion that R. P. Letcher is entitled to a seat in that house as a representative from Kentucky.

YEAS—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Chilton Allan, Archer, Ashley, Banks, Barber, Barnitz, Baringer, Baylies, Beaty, James M. Bell, Binney, Briggs, Bull, Burd, Burges, Cage, Campbell, Chambers, Chilton, Choate, William Clark, Clayton, Clowney, Corwin, Coulter, Crane, Crockett, Darlington, W. R. Davis, Davenport, Deberry, Deming, Denny, Dickson, Duncan, Evans, Edward Everett, H. Everett, Ewing, Felder, Fillmore, Foster, Philo C. Fuller, Fulton, Gamble, Garland, Gholson, Gilmer, Gordon, Gorham, Graham, Grayson, Grennell, Griffin, Hildand Hall, Hard, Hardin, James Harper, Hazeltine, Heath, Heister, Jabez W. Huntington, Jackson, William Cost Johnson, King, Kinnard, Laporte, Lay, Lewis, Lincoln, Love, Martindale, Marshall, McCarty, McComas, McKennan, Mercer, Milligan, Moore, Patton, Pinckney, Potts, Ramsay, Reel, Rencher, Selden, Wm. B. Shepard, Augustus H. Shepperd, Wm. Slade, Sloan, Spangler, Steele, Stewart, Wm. P. Taylor, Philemon Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, Watnough, Wayne, E. D. White, Elisha Whittlesey, F. Whittlesey, Wilde, Williams, Wilson, Young—112.

NAYS—Messrs. John Adams, Wm. Allen, Anthony, Beale, Bean, Beardsley, Beaumont, Blair, Bockee, Bodie, Boon, Bouldin, Brown, Bunch, Burns, Bynum, Cambreleng, Carmichael, Carr, Casey, Chaney, Chinn, S. Clark, Clay, Coffee, Connor, Cramer, Day, Dickerson, Dickinson, Dunlap, Forrester, Fowler, Wm. K. Fuller, Galbraith, Gillet, Joseph Hall, Halsey, Hamer, Hannegan, Joseph M. Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, R. M. Johnson, N. Johnson, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagi, Lane, Lansing, Luke Lea, Thos. Lee, Leavitt, Loyall, Lyon, Lytle, Abijah Mann, Joel K. Mann, Mardis, Moses Mason, McIntire, McKay, McKim, McKinley, McLene, McVean, Miller, Henry Mitchell, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, Peyton, F. Pierce, Pierson, Plummer, Polk, Pope, Schenek, Schley, Shinn, Charles Slade, Smith, Speight, Standifer, Stoddard, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turril, Vanderpool, Van Houten, Wagener, Ward, Wardwell, Webster, Whalon, C. P. White, Wise—114.

### YEAS AND NAYS

On the motion to lay on the table on Friday the 13th inst. the resolution from the senate declaring the reasons of the secretary of the treasury, in removing the deposits, unsatisfactory and insufficient.

YEAS—Messrs. John Adams, Wm. Allen, Anthony, Bean, Beardsley, Beaumont, Blair, Bockee, Bodie, Boon, Bouldin, Brown, Bunch, Burns, Bynum, Cambreleng, Carmichael, Carr, Casey, Chaney, Chinn, S. Clark, Clay, Coffee, Connor, Cramer, Day, Dickerson, Dickinson, Dunlap, Forrester, Fowler, W. K. Fuller, Gillet, Gilmer, Jos. Hall, Halsey, Hamer, Jos. M. Harper, Harrison, Hathaway, Hawkins, Hawes, Henderson, Howell, Hubbard, Abel Huntington, Inge, Jarvis, Richard M. Johnson, N. Johnson, C. Johnson, S. Jones, B. Jones, Kavanagi, Kinnard, Lane, Lansing, Laporte, Luke Lea, Thomas Lee, Leavitt, Loyall, Lyon, Lytle, Abijah Mann, Joel K. Mann, Mardis, Moses Mason, McIntire, McKay, McKim, Robert Mitchell, McLene, McVean, Miller, Henry Mitchell, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patterson, Dutee J. Pearce, F. Pierce, Pierson, Plummer, Polk, Pope, Schenek, Schley, Shinn, Charles Slade, Smith, Speight, Standifer, Stoddard, Sutherland, William Taylor, F. Thomas, Thomson, Turril, Vanderpool, Van Houten, Wagener, Ward, Wardwell, Wayne, Webster, Whalon, C. P. White—114.

NAYS—Messrs. John Quincy Adams, Heman Allen, John J. Allen, C. Allan, Archer, Ashley, Banks, Barber, Barnitz, Baringer, Baylies, Beaty, James M. Bell, Binney, Briggs, Bull, Burd, Burges, Cage, Campbell, Chambers, Chilton, Choate, William Clark, Clayton, Clowney, Corwin, Coulter, Crockett, Darlington, Warren R. Davis, Deberry, Deming, Denny, Dickson, Duncan, Evans, Edward Everett, Horace Everett, Ewing, Felder, Fillmore, Foster, P. C. Fuller, Fulton, Gamble, Garland, Gholson, Gordon, Gorham, Graham, Grayson, Grennell, Griffin, H. Hall, Hard, Hardin, James Harper, Hazeltine, Heath, Heister, Jabez W. Huntington, Jackson, W. C. Johnson, Lay, Lewis, Lincoln, Love, Martindale, Marshall, McCarty, McComas,

McKenna, Mercer, Millegan, Moore, Pinckney, Potts, Ramsay, Reed, Rencher, Selden, Aug. H. Shepperd, Wm. Slade, Sloane, Spangler, Steele, Stewart, P. Thomas, Tompkins, Turner, Tweedy, Vance, Vinton, E. D. White, F. Whittlesey, E. Whittlesey, Williams, Wilson, Wise, Young—101.

Absent on taking the question on the motion to lay the resolution on the table—Messrs. Bates, of Mass.; Foot and Ellsworth, of Conn.; Lawrence, of New York; Watmough, King and Galbraith, of Pa.; Mason, Claiborne, Lucas, Stevenson, Davenport, Heal and Taylor, of Va.; Hall and W. B. Shepherd, of N. Carolina; Wilde and Schley, of Georgia; Manning,\* (vice Blair, deceased) and McDuffie, of South Carolina; Amos Davis, of Ky.; Peyton, of Tenn.; Crane, of Ohio; Hannegan, of Indiana, 24, Mr. Bell, of Tenn. the speaker, who did not vote, 1—25—making with those who voted, 240, the whole number, one seat not having been filled in the Kentucky delegation.

Messrs. Foot, of Connecticut, Lawrence, of New York, and Stevenson, of Virginia, had resigned their seats, the first elected governor of his state, the second mayor of New York. Messrs. Bates, Davis, of Ky. Watmough, Claiborne, and, perhaps, others were confined to their rooms from indisposition.

The vote on the second resolution, directing a restoration of the deposits to the bank of the United States, was also laid on the table—ayes 118, noes 98.

Messrs. Couter, of Pa. Felder, of S. C. and Gholson, of Va. who voted in the negative on the first resolution now voted in the affirmative—Mr. King, of Pa. and Mr. Crane, of Ohio, who did not vote on the first resolution, voted in the negative on the 2d. Messrs. Deming, of Vt. and Wilson, of Va. who voted on the first resolution were absent on the second; and Mr. Peyton, of Tenn. who was absent on the first vote, voted in the affirmative on the second.

### CLAIMS AGAINST FRANCE.

IN THE SENATE, JUNE 7.

The chair communicated a report from the commissioners under the act to carry into effect the late treaty with France, made in compliance with the resolution of the 22d ult. showing a list of all the claims which have been presented to them, together with the amount of principal and interest claimed by the memorialists in each case, and the aggregate amount, arranged into classes those which have been recognized as falling within the treaty, those which have been suspended, and those which have been rejected.

#### GENERAL RECAPITULATION.

Amount of list marked A, comprehending "claims recognised as within the treaty"—

Principal,	17,065,917 36
Interest,	24,574,920 99
	41,640,838 35

Amount of list marked B, comprehending "claims rejected" by the board—

Principal,	618,258 72
Interest,	1,001,579 12
	1,619,837 84

Amount of list marked C, comprehending "claims" suspended—

Principal,	3,272,325 94
Interest,	5,301,168 02
	8,573,493 96

Total amount of claims presented, principal and interest, \$51,834,176 15

The report having been read—

Mr. Sprague said this was a document of much importance at the present time, especially in connection with the recent refusal of the French chamber of deputies to make the appropriation for carrying into effect the late treaty. That refusal, as he verily believed, had been occasioned by the publication of the correspondence of our late minister to France, Mr. Rives, with our secretary of state. Read his letter of July 8, 1831, transmitted with the treaty. You will find there very strong representations of great advantages attained by that treaty. I should not be disposed to censure a minister for presenting the offspring of his labor in the best garb. But here is an exaggeration which transcends all bounds. He boasts that he had obtained from France a sum of money "amply sufficient to satisfy all the just claims of our citizens of every description comprehended within the scope of the negotiation." He specifies and depreciates particular clauses, by saying that Mr. Gallatin had expressed an opinion that there could be no expectation that indemnity will ever be obtained. He proceeds to undervalue all these claims, declaring that Crawford, and Gallatin, and Brown, his predecessors, in letters never published, but entrusted to him, had in former years "regarded this whole subject as almost entirely hopeless;" that the difficulties had since increased; that they had been "prosecuted in vain for the last twenty years, and a large portion if not the whole, of which has been considered as desperate." And then repeats that he had obtained "a sum sufficient, in all probability, to pay every cent justly due, and nearly treble the amount pronounced to be due by the commission charged with their examination here." In the amount justly due is included principal and interest. This is apparent, and will be redressed still more clearly by referring to his letter of 29th of June, 1831. Having thus obtained from the

French a sum sufficient to pay every cent justly due, principal and interest, of every description of claim, he proceeds to boast that he induced the French government to release claims against us, by our paying about thirty per cent. only—less than one-third of the amount. He says that the treaty "extinguished claims of French subjects against the United States, to the amount of near five million of francs, by a stipulation to pay a million and a half."

I will show the senate directly that the sentiments made in this letter are grossly erroneous; that it ought never to have been written, but, if written, must assuredly it should have remained in the secret recesses of the state department. What are we to think of an administration which unnecessarily gives publicity to such a communication; which, for no end or object of public interest, but only for self-glorification, publishes it to the world, makes it known to the French minister here, and to his government at home? Can it be doubted that that publication caused the refusal of the French chamber to make the appropriation? Their debates show that it was known to the members. It was objected, that we had obtained too much; that one-half of the amount stipulated would fully indemnify our citizens; that the treaty ought not to be carried into effect, because it was unequal, and we had obtained undue advantages. Has not the difficulty which has occurred been occasioned by the wanton and unbounded boasting of our own executive? I say unfounded; and the documents just read abundantly proves it. What is the sum stipulated by the treaty. Five millions. What is the amount of the claims which have been presented to the board of commissioners appointed to adjudicate upon them under the treaty? Fifty-one millions eight hundred and thirty-four thousand dollars. Of this sum, the board, pursuant to rules established and promulgated before any difficulty was articulated, have actually admitted memorials as prima facie good, to the amount of forty-one millions six hundred and forty thousand dollars; of which, seventeen millions and sixty-five thousand dollars is principal, and twenty-four millions five hundred and seventy-four thousand dollars, interest. And the board have rejected memorials to the amount of one million six hundred and nineteen thousand dollars; of which, six hundred and eighteen thousand dollars is principal, and one million and one thousand dollars interest. And there have been suspended, for future consideration, and future adjudication, memorials to the amount of eight millions five hundred and seventy-three thousand dollars, of which, three millions two hundred and seventy-two thousand dollars is principal, and five millions three hundred and one thousand dollars is interest.

If these suspended cases shall be allowed, it will make the amount claimed by memorials, admitted and accepted, to exceed fifty millions; that is, ten times the amount of the indemnity. If we make the most liberal deductions, and cut down the amount one-half, still it will be five times the amount provided by the treaty, and our merchants will receive but twenty per cent.—one-fifth part of their just due. So much for our own claims.—And now, sir, as to those of the French.

Mr. Rives, by the publication of his letters to the administration, makes it matter of boast, that we are released from claims nominally amounting to near five millions of francs, by the payment of one million and a half. But Mr. Rives himself admits that he has no knowledge whatever of any of the claims, except that of the heirs of the baron Beaumarchais. He has no other than the mere statement of the French minister to him. Would any public minister pay a single dollar upon claims of which he knew nothing, upon which he had no instructions or information whatever? Then as to the Beaumarchais claim, it is an old acquaintance in the halls of congress, and has there been repeatedly decided, after investigation, to be utterly unfounded. It arose from a transaction during our revolution; and Mr. Rives, in stating its amount, calculates interest from that time. He states the claim to be more than three millions and a half of francs, of which one million only is principal, and more than two and a half millions are interest. The sum which he stipulated to pay was a million and a half of francs, equal to the whole principal, and fifty per cent. more, of this antiquated, and often rejected, Beaumarchais claim, while our own merchants will not receive one half, if they do one-third, or one-fourth, of the principal of their just claims, without interest. Sir, let the administration cease to boast of this trumpeted diplomatic achievement. Let them acknowledge the plain truth, that, for the sake of a final adjustment, they have sacrificed the just and righteous claims of our merchants to an immense amount, to at least tens of millions, while they have paid France liberally for doubtful pretensions. Let them state the truth—that the treaty is far more advantageous to France than to the United States—and there will be no difficulty in their carrying it into immediate effect. They will then be tenacious of the treaty, and the relief it affords them from our strong and irresistible claims. If this treaty is not executed, our merchants will be remitted to their original rights, and, I trust, will not, unless upon some conjuncture of circumstances, more extraordinary than has yet arisen, ever again be so sacrificed, and cut down to so small a fraction of their honest, well-founded claims.

This treaty does not do justice to the United States and its citizens. The obtaining it is no matter of congratulation or self-satisfaction. It may be best to accept and acquiesce in it, as a matter of expediency, rather than attempt to coerce justice by a resort to a war of commercial regulations, or, what is worse, a war of arms. But it should be known and understood that it

\*Who has not yet taken this seat.

is only upon this ground of expediency, to prevent hostility, to preserve amicable and friendly relations, that we could acquiesce in such enormous pecuniary sacrifices of our just and irrefragable claims. The French government should be disabused of the error into which they have been led; they should be given to understand, that, instead of our having made a hard and overreaching bargain, we have made even extravagant concessions, and accepted of less than one-fourth part of our well founded, clear and indisputable demands. Instead of reproaching us for our supposed unfairness, she should be enabled to appreciate our extraordinary concessions and sacrifices.

The report was ordered to be printed.

#### MESSRS. POLK AND ADAMS AND LYTLE.

*Extract from the debate in the house of representatives, on Mr. Adams' motion calling for information concerning the deposit banks.*

Mr. Polk said he had stated, that though the bank, through its organs and advocates, at the early periods of the present session of congress, when we were appealed to, to join in damning and putting down the chief executive magistrate, had lavished unmeasured praises upon us, had conceded to us the power which this house afterwards exercised, and had professed a willingness to yield obedience to our decision upon the great question which has occupied so much of our time, that yet when this house had condemned the bank, and sustained the president, we had shared in its denunciation. This he happened to have in his power very briefly to shew. A paper had this moment been handed to him, by a gentleman near him, which he had read some days ago. That paper, (the National Gazette), contained an article purporting to be editorial, but which bore on its face evidence that it was the semi-official, indeed it might be regarded as the official, expose, issuing from the bank itself—because it contained an extract of what purported to be a private letter, addressed by a private citizen, to the bank, and which could have been procured from no other source but the bank itself. From that expose he begged to read a paragraph or two, to show its general tone, and particularly what was said of this house. He would only further state, that it appears in the paper of the 3d of June, and after the report of the committee of investigation was made to this house. Mr. P. here read from this expose as follows, viz:

"The house, it cannot be dissembled, has lost much of the confidence of the country, and has lost it by inattention to its own character. They have been much too servile—have permitted themselves to be the dupes of political jugglers. It is a fact, perfectly notorious, that a very large portion of the house, outside of the bar, acknowledged the improper conduct of the executive—yet step forward a few feet, and vote to support the very measures they disapprove. The house ought to be ashamed of such conduct; there are really many honest and well meaning men in that body, and they ought to revolt at the humiliation to which the kitchen cabinet subjects them. The present feeling of the country toward the house is one of surprise and pity. Surprise that a popular body should seem so indifferent to popular rights; and pity that it should suffer the control of these political jugglers. If hereafter, that body should be despised, it will only be because it hath made itself despicable. If it be treated with contempt, it will be because it is contemptible."

Again he said, this bank expose, (for he held himself justified in supposing that it had the sanction of the bank, for garbled extracts of the private correspondence of the bank, formed a part of it), held the following language, which he read, viz:

"The great contest now waging in this country is between its free institutions and the violence of a vulgar despotism. The government is turned into a baneful faction, and the spirit of liberty contends against it throughout the country. On the one hand, is this miserable cabal, with all the patronage of the executive; on the other, the yet unbroken mind and heart of the country, with the senate and the bank; the house of representatives, hitherto the instinctive champion of freedom, shaken by the intrigues of the kitchen, hesitates for a time, but cannot fail before long, to break its own fetters first, and then those of the country. In that quarrel, we predict, they who administer the bank will shrink from no proper share which the country may assign to them; personally they must be as indifferent as any of their fellow citizens to the recharter of the bank. But they will not suffer themselves, nor the institution intrusted to them, to be the instrument of private wrong and public outrage—nor will they omit any effort to rescue the institutions of the country from being trodden under foot by a faction of interlopers."

In the same paper, the inquiries made by the committee of investigation are denounced as a "mass of arrogance," because they had called for certain correspondence with the bank, which the bank refused to furnish. The bank, he said, in this paper, which was evidently prepared under its own direction, defied and insulted the house of representatives. After setting itself up in opposition to the government, assuming to construe the powers of the executive, and to dispute what authority he should and should not exercise, it now abuses and denounces this house.

Mr. J. Q. Adams here interrupted Mr. Polk, and called on the member from Tennessee to state the evidence upon which he made these charges.

Mr. Polk held it in his hand. It is, as he had already stated, what purports to be editorial, but comes to the public under the sanction of the bank; if it was not written, as he believed it was, by the direction of the bank itself. The paper furnishes

intrinsic evidence of its authorship, for it contains a letter which could not have been procured but from the bank. Yes, sir, the bank, which was so scrupulous in regard to private correspondence, has not hesitated to avail itself of a private letter, with a view to assail members of this house.

Mr. Adams begged to know what proof he had of this?

Mr. Polk. The proof is on the face of it; it bears internal evidence that it must have come from the bank. He found in it, as he had already stated, an extract of a letter addressed to the bank by a private citizen, and which could not find its way into this, the bank's known organ in Philadelphia, (the National Gazette), without the knowledge or connivance of the bank, or, indeed, without having been furnished by the bank. This is a private letter addressed to the bank by a private individual on his private affairs, and we thus, notwithstanding the bank's objection to disclose to a committee of the house, when called upon for that purpose, the correspondence called for touching its "fair business transactions," nevertheless does not hesitate to blazon forth, under such circumstances, a garbled extract of what should, by its professions, be held sacred, for the base purpose, he must conclude, of blasting the character, or affecting the reputation of a member of the committee. He would now read on, to show the character of this immaculate institution.

[Mr. P. here read some other extracts.]

After he concluded—

Mr. J. Q. Adams rose to remark, that, as the member from Tennessee had spoken of a letter to the bank in the article, he would therefore be so good as to read it.

Mr. Polk declined, saying, "the gentleman can have it, and read it for himself, if he desires to do so."

Mr. J. Q. Adams. The honorable member stated that his authority for making this charge was proved by a fact in the paper he read. This fact was in a letter to the bank. I ask him to read its contents.

Mr. Polk could not feel that he was called upon by any rule of courtesy or propriety to read, for the amusement or edification of the gentleman, any thing which did not pertain to his argument. The gentleman can read the letter himself, if he pleases. I choose to proceed with my remarks, in proper temper, I hope, having read enough of this bank bulletin. Right or wrong, sir, continued Mr. Polk, whatever the bank does, the board of directors assert the legal right to do what has been done. As an answer to my objection to the course of the bank, it is said that the board of directors approve it.

Mr. J. Q. Adams. Oh! pray read on.

Mr. Polk said, he would proceed with his remarks. He had read thus much to shew the arrogance of its tone, and that all who did not fall down and worship this aristocracy of money, felt under its anathemas and denunciations.

The following are the paragraphs from the article referred to by Mr. Polk, which Mr. Adams was so desirous that he should read—well knowing that, if read, they would place Mr. Lytle in a rather uncomfortable condition, as Mr. Polk also well knew: for as Mr. L. could not deny the verity of the extract from his brother's letter, he would be placed in the painful condition of having it believed that "a Lytle," as a member of congress, would avenge the injuries supposed to have been inflicted on another "Lytle," as a private man.

From the National Gazette.

Speaking of the committee appointed to investigate the affairs of the bank, the Gazette of June 3, says—

"This Mr. Lytle, besides, has at this moment a claim for a large sum of money now before the board of directors of the bank. The claim has been twice rejected. It was lately brought for the third time—accompanied by a persuasive threat that if it were not granted, the bank should be afflicted with the vengeance of the applicant.

In his letter to the bank renewing the claim, the brother of and joint claimant with this Mr. Lytle, foreshadows the wrath of this committee in the following remarkably insinuating manner:

"You will find that a Lytle, and the son too, of the man who has been so cruelly treated, will represent this district in the next congress, and that an influence in this city can be successfully exerted, not only in this state but also in Indiana, at the next election. You will find that a promise made to you in 1823 will be religiously and pertinaciously adhered to, so long as a father's injuries are unredressed. I do not say this as a threat. I merely renew a promise, unless justice is done, and all we ask is justice.

"I am well satisfied that it will contribute to our interest to have the bank rechartered with suitable modifications. But if justice is not meted out to us, I pledge my word as a citizen, and my honor as a man, that those who have the management of the bank will regret it, and should we meet again in after years, you will admit that my word has been redeemed."

On which the "Globe" said—

"The peculiar wrath of the bank president is made to fall on the eloquent and talented Mr. Lytle. In reference to this gentleman, the sacredness of private correspondence is utterly forgotten, and the very men who refused to exhibit their correspondence confidentially to a committee of the house, for the purpose of protecting the honor of that house, do not hesitate to publish in the newspapers an extract of a letter from Mr. Lytle's brother, as a means of assailing the honor of one of its members!!"

And the "Gazette" rejoins—

"The Globe denounces it as insufferable inconsistency and audacity in the bank to allow an extract of a letter from Mr. Lytle's brother to be published after it had refused to exhibit all its correspondence to the committee. To this we may reply that the bank refused what the committee had no right to ask, and what was meant to be mischievously used, and granted to us what it had no right to grant, a paper, not confidential nor even private, written by a claimant, and placed on the common files of the institution, and yielded us for a purpose just and salutary. Mr. Lytle provoked and warranted the publication of the extract by the part which he took in the errand of the committee, and both his previous and subsequent declamations in the house and elsewhere."

#### REJECTION OF MR. STEVENSON AS MINISTER TO GREAT BRITAIN.

From the National Intelligencer of June 26.

During the present arduous session of congress, the senate has had many highly responsible duties to perform. It has stood alone, the sole barrier to the alarming progress and pretensions of executive power. If it has drawn down upon itself executive vengeance, it has ample consolation in the confidence and affections of the people, which its faithful and fearless discharge of its important duties has conciliated. No part of those duties is probably more offensive to the executive, nor more painful to the senate, than that in which it occasionally finds itself obliged to withhold its advice and consent to nominations made by the president. The intent and design of the constitution clearly were, whilst it left him free to exercise his uncontrolled judgment in official nominations, to leave the senate equally free and independent in deciding whether its advice and consent, in any particular case, ought to be given or withheld. The present chief magistrate has thought proper to proscribe all that large and respectable portion of his fellow citizens who believed it their duty not to concur in his elevation, and to confine his appointments to the circle of his supporters. The senate might have refused to lend itself to the enforcement of such an intolerant and exclusive rule; but it has not. It has never rejected any nomination upon the mere ground of party predilection. It has only expected that, in selecting individuals for public trust and employment, from among his own supporters, the president would present to its consideration such names as it could conscientiously approve.

Public speculation has been active in respect to the nomination of the late speaker of the house of representatives; and his rejection, which has taken place, was not unexpected. The injunction of secrecy is now removed, to a certain extent; and enough is disclosed to convince the public that, if there had been a contrary decision, just ground of complaint and surprise would have existed. The senate felt a reluctance to refuse its concurrence to the nomination for the British mission, which has been so long vacant. Of all foreign powers, there is not one with which our relations of commerce, of navigation, and of territory, are so intimate as Great Britain. Such is their variety, extent and importance, that there is not a year, nor a day of any year, when there is not pending at the court of St. James some transaction demanding the presence of a minister of the first grade. It is more than two years since the interests of the United States were represented in England by such a minister. Why this delay? If, as the president has asserted, negotiations were broken off in consequence of the return of Mr. Van Buren, sent out without the previous consent and advice of the senate, why have they been allowed so long to slumber? Why have the affairs of the United States, for more than two years past, been confided to the inexperienced hands of a young man who, a short time ago, was, (no disparagement to his personal merit), a subordinate clerk in the department of state? It is scarcely credible that a vow of sending no successor to Mr. Van Buren, imputed to the president at the period of his rejection, has been observed by him until he has been compelled to break it by Great Britain insisting that the two countries should be reciprocally represented by diplomatic agents of equal grade. It will be seen, in the sequel, that the mysterious veil is partially removed by the disclosure that, for upwards of fifteen months past, the mission to England has been kept in abeyance, for the benefit of Mr. Speaker Stevenson.

It is well known that some senators, who compose the majority of the senate, without laying down any inflexible rule of exclusion, as to the appointment of members of congress to distinguished stations, in ordinary times, believe that the present chief magistrate has pushed his patronage to an extreme limit in the halls of congress. In the short space of about five years, offices have been bestowed upon those who were members of congress at the respective periods of their appointment, or within one year preceding, to the extraordinary number of thirteen senators, and twenty-five members of the house of representatives.\* This number exceeds that which was ever ap-

\* APPOINTMENTS BY GEN. JACKSON.

SENATORS—William Findlay, Martin Van Buren, John H. Eaton, John Branch, John McPherson Berrien, Louis McLane, John Chandler, Thomas H. Williams, David J. Baker, Edward Livingston, Levi Woodbury, Mahlon Dickerson, Powhatan Ellis—13.

REPRESENTATIVES—John W. Campbell, Francis Baylies, Robert S. Garnett, George W. Crump, E. F. Tattual, John Find-

pointed under any prior administration of eight years. Nay, more; it is believed to be about equal to the number ever appointed by all the presidents together who preceded general JACKSON. The offices which he has thus conferred on members of congress embrace every description of trust from a secretary of state down to a collector of the customs, a deputy postmaster, and a clerk at Washington. And this profuse exercise of his patronage has been, after a deliberate condemnation of the practice made by him when out of power, to the legislature of his own state, on the 7th of October, 1825, on the memorable occasion of resigning his seat as a senator of the U. States, when he explicitly declared that, if "important appointments continue to devolve on the representatives in congress, it requires no depth of thought to be convinced that corruption will become the order of the day; and that, under the garb of conscientious sacrifices to establish precedents for the public good, evils of serious importance to the freedom and prosperity of the republic may arise. It is through this channel that the people may expect to be attacked in their constitutional sovereignty, and where tranny may be apprehended to spring up in some favorable emergency." Without meaning to impute to the president any settled design to overthrow or jeopard the liberties of his country, it must be admitted that those predictions are of easiest fulfillment which are made by persons possessing means to accomplish them. It is true that the observations of general Jackson, just quoted, were made to enforce the necessity of a prohibitory amendment of the constitution. But, if the practice of appointing members of congress were fraught with such danger, in his judgment, as to require a solemn interdiction to be engrained on the constitution, surely he could, in the administration of the duties of president, conform to a rule so essential to the preservation of the purity of our institutions, without waiting for the tardy and uncertain process of amendment. Washington entertained the belief that no man ought to serve in the office of president beyond two terms; and, by voluntarily conforming to that rule, he has practically remedied a defect in the constitution, and given an illustrious example of moderation and forbearance, from which no one of his successors has hitherto ventured to depart.

But without availing itself of these general considerations, the senate found, in the particular circumstances of the case of the ex-speaker, irresistible reasons for the rejection of his nomination. It was confidently believed, in the circles here and elsewhere, for more than twelve months past, that he was designated for the British mission. No one doubted it. It is even known that his reliance upon obtaining the appointment was so very strong, that he stated, during the last session of congress, that he would never again be a candidate for the speaker's chair. What must the astonishment of the public be when it learns that Mr. Stevenson, since March, 1833, has had in his possession an official assurance from the secretary of state, written confidentially, on the 15th of that month, with the express authority of the president, that he was to be appointed to the British mission, and requesting him to hold himself in readiness to proceed on it, in the course of the ensuing summer? The delay in filling the mission now stands in part explained. Whether he had any previous verbal assurances is not known. This official assurance he held, when, in April 1833, he was a candidate to represent in the house of representatives the district embracing the metropolis of Virginia; when, in December of last year, he was a candidate, contrary to his prior declaration, for the speaker's chair; and when the bill passed the house of representatives making an appropriation (whilst he was in the chair) of an outfit for himself of \$9,000, with an annual salary of \$9,000 more. If the fact of his holding such a document had not been suppressed, would the people of his district have elected him to represent them? If it had been known to the house that he possessed a title to the British mission, equivalent to a commission, would he have been elected speaker? The fact was confidentially concealed from all but the president of the United States, the late speaker himself, the department of state, and such as received the secret from them.

To explain this suspicious transaction, the message of the president, accompanying Mr. Livingston's letter, states that the contingency of Great Britain consenting to open a negotiation in London, which was expected, did not arise, but that it was, on the contrary, commenced at Washington. No such contingency is contained in Mr. Livingston's official letter. The appointment is offered unconditionally, and, as in such cases is customary, Mr. Stevenson is notified when he is expected to depart; that is, as soon as advices shall be received from England, and in the course of the ensuing summer. But what were the negotiations? Were they those broken off by Mr. Van Buren's return? Are they now expected to be open in London? Is there any motive, now existing, for sending a minister to England, which did not exist during the last summer? To do away the effect of the letter of Mr. Livingston, a letter from Mr. Ritchie, editor of the Richmond Enquirer, and a letter from Mr. W. B. Lewis, auditor, &c. containing extracts from two letters to him, addressed by Mr. Ritchie, were, at the instance of Mr.

lay, Samuel D. Ingham, George W. Owen, Thomas P. Moore, William C. Rives, Seth R. Hobbie, Jeromus Johnson, John G. Stower, John Randolph, Philip P. Barbour, James W. Ripley, John Biddle, Thomas Irwin, James Buchanan, Charles G. De Witt, Hector Craig, Nicholas D. Coleman, Joseph Hammons, Wiley Thompson, Andrew Stevenson, John Anderson—25.

Stevenson, presented to the senate. It is a matter of regret that the whole of Mr. Ritchie's two letters, instead of extracts, were not produced, and that the letter from Mr. Lewis to Mr. Ritchie was also withheld. The production of the entire correspondence would further elucidate this mysterious affair; and it is to be hoped that the parties will yet exhibit it to the public. Mr. Stevenson does not appear to have returned any answer to Mr. Livingston's communication. In lieu of such an answer, with his approbation, Mr. Ritchie addressed a letter to Mr. Lewis, to be laid before the president, in which, after lauding the president to the skies, he suggests the constitutional scruples which prevail in Virginia, with respect to sending ministers abroad, without the previous concurrence of the senate; and expresses a wish that it may not be done. What special considerations were urged by Mr. Ritchie, for the postponement of Mr. Stevenson's case, at all events, until the assembling of the senate, do not appear, and will not appear, without the exhibition of the whole of his letter. Mr. Ritchie's interference to arrest an unconstitutional practice of the president, was not entirely successful. Mr. Livingston was sent to France, in spite of it, in the recess of the senate. But, then, the main part of Mr. Ritchie's negotiation, the postponement of Mr. Stevenson's appointment, did succeed.—Whatever was the degree of urgency for the departure of an American minister to the English court, it was made to yield to the private wishes of Mr. Stevenson, conveyed through the imposing organ of an editor of a leading newspaper.

There is no color for the pretence that the promise, communicated by Mr. Livingston, was not, at the commencement of the present session of congress, a subsisting and binding engagement. It was kept alive and continued through the agency of Mr. Thomas Ritchie and Mr. W. B. Lewis. The president could have nominated no other gentleman than Mr. Stevenson, after the letter of Mr. Livingston, without violating his own assurance. And the fact of his nominating Mr. Stevenson is conclusive proof of the sense which he himself entertained of his obligation. If Mr. Stevenson really wished to recall the president to a constitutional practice, in conformity with the doctrines of Virginia, why did he not promptly decline the proffered appointment upon that ground? If he did not desire the appointment to be kept back for his subsequent acceptance, why did he employ the influential agency of Mr. Thomas Ritchie? We know that the president did not share his constitutional scruples; why, therefore, did he desire the unexampled delay, in sending a minister to England, to be further prolonged?

And what were the motives which induced the president not only to postpone the nomination until the commencement of congress, but until after nearly six months had passed away of, perhaps, the most eventful session which has ever been held under the present constitution? Until all the committees were appointed who were charged with an investigation of the measures of the executive, and a majority was actually secured, in the house, to approve that particular measure which presents the alternative of a subversion of the constitution, or a subversion of the Jackson party? It is difficult to search into the motives of men. But there is no hazard in asserting that the president was not indifferent to the success of that leading measure of the removal of the public deposits, the responsibility of which he himself assumed, as he has proclaimed to the nation. Nor that Mr. Speaker Stevenson, whilst administering the duties of the chair, could not be unfaithful of the very great obligation under which the president had placed him.

Whether the speaker yielded to the influence of the temptation, and fulfilled expectations which were probably entertained by the president, it is hardly worth while to inquire. The acquisition of a splendid mission was within his grasp, in the contingency of his promoting the president's views, as the certain loss of it was the inevitable consequence of his placing himself in an attitude of opposing them. It is perfectly notorious that, by his adherence to particular executive measures, he has separated himself from the people of his district, and the legislature of his state. It is also well known that, in the cast of certain important committees, and in the discharge of the ordinary duties of presiding officer of the house, he has excited much dissatisfaction; so much, that, although it is upwards of three weeks since he resigned the chair, the house has not adopted the customary vote of thanks.

An example of a more direct, daring, and dangerous influence brought to bear, in a critical period, by the president, upon the presiding officer of the house of representatives, cannot well be imagined. And if the senate had confirmed the appointment of Mr. Stevenson, all further resistance to the appointment of members of congress, under any circumstances, would be vain and useless.

The whole proceedings of the senate, so far as the injunction of secrecy has been removed, are now submitted to the public, which will draw its own conclusions.

#### EXECUTIVE PROCEEDINGS IN SENATE.

*Journal of executive proceedings of the senate on the nomination of Andrew Stevenson as minister to Great Britain.*

Thursday, May 22, 1834. The following message was received from the president of the United States, by Mr. Donelson, his secretary:

Washington, May 20, 1834.

I nominate to the senate Andrew Stevenson, of Virginia, to be envoy extraordinary and minister plenipotentiary to Great Britain.

ANDREW JACKSON.

The message was read.

Ordered, That it be referred to the committee on foreign relations.

Thursday, June 12, 1834. Mr. Wilkins, from the committee on foreign relations, to whom was referred the nomination of Andrew Stevenson contained in the message of the 22d May, reported.

Mr. Clay submitted the following motion, which was considered by unanimous consent, and agreed to:

Resolved, That the president be requested to communicate to the senate a copy of the first official communication which was made to Andrew Stevenson, of the intention of the president to nominate him as minister plenipotentiary and envoy extraordinary to the United Kingdom of Great Britain and Ireland, and his answer thereto:

Friday, June 13, 1834. The following message was received from the president of the United States, by Mr. Donelson, his secretary:

Washington, June 13, 1834.

To the senate:

I have this day received a resolution of the senate of the 12th instant, requesting me to communicate to the senate a copy of the first official communication which was made to Andrew Stevenson, of the intention of the president to nominate him as minister plenipotentiary and envoy extraordinary to the United Kingdom of Great Britain and Ireland, and his answer thereto.

As a compliance with this resolution might be deemed an admission of the right of the senate to call upon the president for confidential correspondence of this description, I consider it proper on this occasion to remark, that I do not acknowledge such a right. But, to avoid misrepresentation, I herewith transmit a copy of the paper in question, which was the only communication made to Mr. Stevenson on the subject.

This communication merely intimated the intention of the president, in a particular contingency, to offer to Mr. Stevenson the place of minister to the court of St. James; and as the negotiations to which it refers were commenced early in April, 1833, in this city, instead of London, and have been since conducted here, no further communication was made to him. I have no knowledge that an answer was received from Mr. Stevenson—none is to be found in the department of state, and none has been received by me. ANDREW JACKSON.

The message was read.

The senate proceeded to consider the nomination of Andrew Stevenson, contained in the message of the 22d May; and

After debate, on motion by Mr. Forsyth,

The senate adjourned.

[On the 14th, 20th and 23d of June the senate resumed the consideration of the nomination of Mr. Stevenson, and laid it on the table.]

Tuesday, June 24, 1834. The senate resumed the consideration of the nomination of Andrew Stevenson; and

On the question "will the senate advise and consent to the appointment of Andrew Stevenson?"

It was determined in the negative—yeas 22, nays 23.

On motion by Mr. Mangum—

The yeas and nays being desired by one fifth of the senators present:

Those who voted in the affirmative, are—

Messrs. Benton, Black, Brown, Forsyth, Frelinghuysen, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Linn, Morris, Robinson, Shepley, Tallmadge, Tipton, Tyler, Waggaman, White, Wilkins, Wright.

Those who voted in the negative, are—

Messrs. Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Webster.\*

So it was

Resolved, That the senate do not advise and consent to the appointment of Andrew Stevenson, as envoy extraordinary and minister plenipotentiary to Great Britain.

Mr. Clay submitted a motion to remove the injunction of secrecy from the proceedings of the senate, on the nomination of Andrew Stevenson; and to authorise copies to be made of the same, and of certain papers communicated to the senate.

The senate proceeded to consider the motion.

On motion, by Mr. Forsyth, to amend the same, by striking out the words "the letter of Thomas Ritchie to Andrew Stevenson, the letter of Wm. B. Lewis, with the extracts from Thomas Ritchie's letters therein inclosed."

It was determined in the negative—yeas 16, nays 23.

On motion by Mr. Forsyth—

The yeas and nays being desired by one fifth of the senators present:

Those who voted in the affirmative, are—

Messrs. Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Linn, Morris, Robinson, Shepley, Tallmadge, Webster, White, Wright.

Those who voted in the negative, are—

\*The reader will perceive that there were, on the vote in the senate on Mr. Stevenson's nomination, but three absentees, viz: Mr. Moore, of Alabama, Mr. Bell, of New Hampshire, and Mr. McKean, of Pennsylvania. The two latter had left the city for home, having, as the phrase is, paired off. [Nat. Int.]

Messrs. Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Robbins, Sillsbee, Smith, Southard, Sprague, Switt, Tomlinson, Waggaman.

So the amendment was not agreed to.

On motion, by Mr. Forsyth, to amend the motion, by inserting after the word "Stevenson," the words "and the debates." It was determined in the negative—yeas 10, nays 29.

On motion, by Mr. Forsyth—

The yeas and nays being desired by one-fifth of the senators present:

Those who voted in the affirmative, are—

Messrs. Brown, Forsyth, Hill, Kane, Linn, Morris, Robinson, Shepley, Tallmadge, Wright.

Those who voted in the negative, are—

Messrs. Bibb, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Grundy, Hendricks, Kent, King, of Alabama, King, of Georgia, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Robbins, Sillsbee, Smith, Southard, Sprague, Switt, Tomlinson, Waggaman, Webster, White.

A further amendment having been proposed and adopted, the motion was agreed to as follows:

*Ordered*, That the injunction of secrecy be removed from the message of the president of the 13th of June, instant; the letter of Mr. Livingston, thereby communicated, the letter of Thomas Ritchie to Andrew Stevenson, and the letter of William B. Lewis, with the extracts of Thomas Ritchie's letters therein inclosed; which several papers were introduced by one of the senators from Virginia, at the request of Mr. Stevenson; and from the proceedings of the senate in relation to the nomination of Andrew Stevenson; and that the secretary be authorised to give copies of the same and extracts from the journal.

Mr. Livingston to Mr. Stevenson.

[Communicated to the senate in the president's message of 13th June, 1834.]

Department of state, Washington, 15th March, 1833.

ANDREW STEVENSON, esq.

SIR: I am directed by the president to inform you, confidentially, that as soon as advices shall be received that the British government consent to open negotiations with this, which are daily expected, it is his intention to offer you the place of minister plenipotentiary to the court of St. James; and he requests that, should this appointment be agreeable to you, you would hold yourself in readiness to embark in the course of the summer.

I congratulate you, sir, on this mark of the president's confidence, and am, with great respect, your most obedient servant.

EDW. LIVINGSTON.

\*Sunday.

MY DEAR SIR: I have just received yours, and am sorry to have it confirmed that you have been so sick; but I trust that your relief from the labors of the chair, more tranquility, and the nursing of your excellent wife will soon restore you. As for myself, my accident has been more serious than my friends at a distance have expected. It was but three or four days since I could turn myself on my bed, or sit up; and now I am lolling in an easy chair, with sore limbs and a weak head, and I am utterly unable to attend to any business. I have not written a line for a newspaper, except my hasty card, nor a letter to a friend, save a line to Harrison, to assure my daughter of my convalescence. You must, therefore, excuse me for writing you at this time so brief, and, I fear, so illegible a scrawl.

I well recollect the circumstances to which you refer. When you showed me the note of Mr. Livingston we had a great deal of conversation upon the subject. Neither of us regarded the notice in the light of an appointment. In fact, it presented itself as a mere contingency, and we considered it as extremely doubtful whether or when you would be appointed, or, if at all; for if the British declined a negotiation, it seemed to be the president's intention to make no nomination at all, not even during the ensuing session of congress. But this idea struck me, that he might appoint you, in case the contingency happened during the recess, and not send you, but Mr. Livingston to France. I suggested that these appointments ought not, and could not be made according to the spirit of the constitution, during the recess of the senate. You promptly and cordially concurred in this view of the subject, and I then determined to write to a friend in Washington, for the purpose of laying this view before the president himself. You approved of my doing so; and, in fact, we agreed perfectly in the course that ought to be taken. We determined to take no notice of Mr. L.'s letter, to act yourself as if no such letter had been written; that it would be best not to offer to accept the appointment if made in the summer, and to wait the action of the senate, &c. &c.

The answer I received from Washington quieted my fears almost entirely.

I certainly did think that the senate ought to have been consulted, both about the mission to London and Paris, unless some of those very extraordinary emergencies might occur, which baffled all calculation, and could not have been foreseen during the prior session of congress.

I trust, my dear sir, that the anxieties of your friends in Virginia will be removed in a few days by your confirmation. Indeed, I can scarce permit myself to entertain a doubt about the result.

Let me press upon you, in the meantime, what my friends prescribe to myself, to keep quiet, avoid all excitement, and take care of yourself. I will write soon. Yours, sincerely,

T. RITCHIE.

Andrew Stevenson, esq. late speaker of the H. of R.

Wm. B. Lewis to Andrew Stevenson.

Washington, June 21, 1834.

DEAR SIR: Your letter of yesterday has been received, and I will answer it with pleasure.

In March, 1833, I received from Mr. Ritchie two letters, in which, among other subjects, he expressed his views on the question of appointing foreign ministers during the recess of the senate. They were written, as it appears, with your knowledge, and in consequence, no doubt, of the letter of Mr. Livingston, to you, communicating the fact that, upon the happening of a certain contingency, it was the intention of the president to offer you an appointment abroad. Of this letter (Mr. Livingston's) I was informed, but never saw it. As the letters of Mr. Ritchie embrace other subjects, I do not feel authorised to furnish the originals, but I cheerfully send the enclosed extracts which relate to the mission to England. You are at liberty to use these extracts in any manner you may deem proper. In my reply to those letters in the spring of 1833, (having preserved no copy), I have a distinct recollection that I assured Mr. Ritchie that I had no doubt all idea of making the appointment, as intimated in Mr. Livingston's letter, had been abandoned, in consequence of the arrival of the British minister, and the probability of the negotiation spoken of by Mr. Livingston in his letter to you, being opened and carried on in Washington. I have no doubt it is my letter alone to which Mr. Ritchie alludes, as quieting his fears, in his recent letter to you, which, by your permission, I saw and read. I am, dear sir, truly yours,

W. B. LEWIS.

To A. Stevenson, esq.

Extracts from Mr. Ritchie's letters, accompanying W. B. L.'s letter to Mr. Stevenson.

I am about to address you on a subject which has caused much speculation among our friends, and great uneasiness in my own bosom. I speak to you as a friend, and without the slightest reserve. The papers have recently spoken of a batch of appointments, which the president is about to make, embracing the two highest missions to European courts, and the two highest seats in his cabinet. I have conversed freely with our friend Stevenson upon them, and I have this day communicated to him my intention to write to you, and to lay before you my own views of the matter.

We have the utmost confidence in the virtue of general Jackson. We have no idea that he would arrogate to himself new powers, at the expense of the other departments of the government. His generous ambition has been fully satisfied! He has nothing more to ask of his country than her verdict of approbation when he lays down the high and difficult office with which he is intrusted! We all know it, and every candid individual admits it! We believe that the course he may pursue will be with a single eye to the public interests. But while we dismiss all apprehensions that he will designably abuse his authority, we wish, at the same time, that he should do no act which may be plead, hereafter, by an unworthy successor, in justification of his acts! In this last term of his administration, we wish to see no precedent set, which may be perverted in future times: we desire it on our own account, as well as that of our country! We wish to see his administration set in glory; and we wish to see our country benefited, in all time to come, by his pure example! But this cannot be, if any error should be committed against principle, even from the best of motives; if any authority should be assumed which does not fairly belong to him, or even if any doubtful power should be exercised upon any delicate branch of the constitution. His high popularity would only make it more current.

One of the highest powers which attaches to the executive, is that of appointment; over its exercise is accordingly thrown, and wisely thrown, the check of concurrence by the senate.

Now, sir, doubts do exist whether the vacancy in the missions to London and Paris did not originally occur during the recess of the senate. Secondly, whether the vacancy does not still exist; and thirdly, whether it ought now to be filled without a consultation with the senate.

It is, then, respectfully asked whether it would not be best to call the senate together and lay the nominations before them? Where is the objection? 1st. *The expense of \$50,000?* Who cares for that sum compared with the preservation of a great constitutional principle? *The inconvenience to the members?* They ought to be the last to complain, when the desire is to preserve their rights beyond the reach of suspicion. 3d. *The senate is not full;* a member is wanting in Pennsylvania, one in Tennessee, and, I believe, a third in Mississippi. But cannot the executive of those states make a temporary appointment?

I understand, from unquestionable authority, that — has said a majority of the senate were prepared to negative any nomination which was not made in the strictest regard to the senate's rights.

To one who has thought so much on this subject as you have done, it is unnecessary for me to develop all the details of my opinions. Do inform me of as much as you may be at liberty to communicate, and put my mind at ease about it, &c.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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§5—The intervention of the great national holiday, has somewhat affected the contents of the present number—but it will be found well filled with reading matter, and articles for reference.

The address of the postmaster general is laid off for our next—and it is probable that its insertion will *command* a place for other things in reply; for both sides must be fairly presented.

The adjournment of congress took place on Monday, as agreed upon. We have carried out the journal of proceedings at considerable length, and added a list of the acts passed; and shall go on to bring up the arrears in documents, speeches, &c. as rapidly as we can, while yielding some room to other matters of interest, which have latterly been much neglected.

Among the latest proceedings of the senate, was the confirmation of the following nominations:

Of *John Forsyth*, a senator in congress, as secretary of state, in the place of Mr. *McLane*, resigned.

Of *William Wilkins*, a senator in congress, as minister to Russia, in the place of Mr. *Dickerson*, who held that appointment, but had not yet proceeded on his mission.

Of *Humphrey H. Leavitt*, a representative in congress from Ohio, to be district judge of the U. S. in that state, in the place of *Tappan* rejected, who had temporarily held the office, vacated by the death of Mr. *Campbell*.

Of *Levi Woodbury*, as secretary of the treasury, vice *Taney*, rejected.

Of *Mahlon Dickerson*, to be secretary of the navy, vice *Woodbury*, transferred to the treasury department.

Of *Richard Pollard*, of Virginia, to be charge des affaires of the United States to Chili.

Of *William Hunter*, of Rhode Island, to be charge des affaires at Rio Janeiro.

All these high appointments, as well as many others, appear to have been made by the senate with much unanimity—though the nomination of Messrs. *Taney* and *Stevenson* had been rejected for reasons which, to the majority, seemed sufficient.

No other nomination was made of a minister to England—and we suppose that that place must necessarily remain vacant—as the vacancy did not happen in the recess of congress.

The appointment of Mr. *Dickerson*, to be secretary of the navy, though altogether unexpected, will, no doubt, be very acceptable to the public. It is said that he was named to set aside *two* who claimed it—to wit, Mr. *Wilkins*, of the senate, and Mr. *Sutherland*, of the house.

An idle report, to subserve some particular purposes, has been sent out, that Mr. *McLane* resigned the place, of secretary of state, under a supposition that his nomination would not be confirmed. Such a notion had no influence over his resignation, and, had his nomination been sent up, it would have been confirmed without a division.

Within the period of a year or thereabouts, we have had—

Three secretaries of state—Messrs. *Livingston*, *McLane* and *Forsyth*.

Four secretaries of the treasury—Messrs. *McLane*, *Duane*, *Taney* and *Woodbury*.

One secretary of war—Mr. *Cass*.

Two secretaries of the navy—Messrs. *Woodbury* and *Dickerson*.

Two attorney generals—Messrs. *Taney* and *Butler*.

Some fifteen years ago, when complaining to an old friend and member of congress of the long sessions of that body, held at so large an expense—he retorted pretty sharply, and reproved us for a want of reflection on that subject. He said that no money drawn from the treasury was so profitably expended for the public good

as that appropriated for the legislative department. While we are in session, said he, all persons are careful in their handlings of the people's money, and cautious in other proceedings of high importance, using the power confided under an apprehension, that they may be suddenly "brought up;" and he went on to state certain cases to illustrate his opinions, that made us almost ready to suppose that the people's interest would be best subserved if the sessions of congress were perpetual, with brief recesses now and then to afford the members an opportunity of mixing with their constituents, to acquire a more sure knowledge of their wishes and wants!

On the principles above stated, and to carry out the idea of the gentleman just alluded to, the appointment of committees to act in the recess, may be highly useful, and truly economical. At any rate, the experiment is to be tried—

The post office committee of the senate (Mr. *Southard* being put in the place of Mr. *Clayton*), will sit in the recess, as well as a committee of the house of representatives on the same subject; but each committee will act for its own body, only, in this case—

The committee of finance of the senate is charged with a looking to the care of the public money, in the recess—

And the chairman of the committee of the senate on public lands, will continue his investigations of the affairs of the land office.

The vote in the senate, on the borrowings of the postmaster general, is one of the most decisive and remarkable things on the journal of that body. All present—41 members, recorded their names in reprobation of his acts—and, had the senate been full, the vote would have had the same unanimity; for it is impossible that such a proceeding, by the head of any department, can be allowed. The whole amount of Mr. *Barry's* borrowed money is some 500 or 600 thousand dollars.\* This large sum bears an interest, while the public money, deposited in the banks, yields none. When will these debts be paid? But ought not congress to have forbidden the payment of them, in a due regard to the public service, unless out of surplus moneys earned in the department? But that might, in some degree, have sanctioned those borrowings! What is to be the result? We think we have seen it stated that a certain contractor had flatly refused to carry the mail any longer, unless paid according to his contract—and we learn that defered claims have sickened the hearts of many! And in the senate, on the 11th ult. the following proceedings were had—

Mr. *Ewing* said, he had received a petition which he hesitated to present, in consequence of its wanting the signature of the petitioner. It was included in a letter signed by him; and, if it were in order, he would present it; if not, he would not press its presentation.

The *president*. If it be referred to in the letter it is in order.

Mr. *Ewing*. It is so referred to. The petitioner, — Van Horne, is a citizen of Indiana, but as his petition relates to the business of the post office, I presume he has sent it to me as a member of that committee. The petitioner states that he is a contractor to carry the mail from the 1st of January, 1832, at \$175 a year; that he has faithfully performed the service since that time; that he is a poor man, with a large family to maintain; that he was in debt at the time he commenced his contract, and much more deeply now; that he has devoted his time to the performance of his duty; and that he has never received one dollar of his compensation. He states that he has applied, in every way known to him, for his quar-

\*We see the following amounts given—

Borrowed,	451,000
Over-drawn,	190,000
	641,000

terly payments, and especially through the member of congress from the district; that on the 24th of April, he received from the department two draughts, for ten dollars each, on two postmasters, one residing 35 and the other 60 miles from his place of residence, and that their collection will cost full one-third of their amount; and he says he considers his case the harder, as he has always been a strong supporter of gen. Jackson, who undertook, when he came into office, to reform all abuses. I move, Mr. President, that the petition be read, and referred to the committee on the post office and post roads.

The petition was referred.

The debates in the senate, on the business and concerns of the general post office, have been of lofty and thrilling interest—whether in the attack or defence. But the former, by Messrs. *Clayton, Ewing, Southard*, and others, has seldom, if ever been excelled for the energy and power with which it was made; while the latter, by Messrs. *Grundy, Forsyth*, and others, displayed much ingenuity and tact, in parrying the blows of the adverse party. We must give some of these speeches, on both sides.

We are placed in "a straight betwixt two" in consequence of the publications of several persons, disavowing the justice of certain charges preferred against them, in the report proper of the post office committee of the senate. Now, as we published also the report of the minority of that committee, vindicating or excusing the proceedings of the department—and as the majority of the committee cannot have a present opportunity of making a reply to the publications alluded to, if it is right that they should, we are placed in this "straight betwixt two," and at some loss to decide on the equitable course that ought to be pursued—for in all matters of this kind we desire to present both sides fairly.

Since the preceding was written, we see it mentioned that the postmaster general has addressed himself to the people of the United States, in vindication of his conduct. That must, of course, have a place.\* But it will be seen in the proceedings of the senate, that every member recorded his name in rejection of an important part of Mr. *Barry's* management—the borrowing of money, "on his own responsibility," which, indeed, cannot be excused, all the circumstances of the case being considered.

The injunction of secrecy being removed, we learn that the following were the yeas and nays on the nomination of Mr. *Taney*, as secretary of the treasury:

*For confirming*—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Linn, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright.

*Against confirming*—Messrs. Bibb, Black, Calhoun, Chambers, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Sillsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster.

So it was

*Resolved*, That the senate do not advise and consent to the appointment of *Roger B. Taney*, as secretary of the treasury.

The National Intelligencer of Tuesday says—

The president approved, we believe, all the bills passed by the two houses at the recent session of congress, with the exception of the bill making an appropriation of \$20,000 to remove certain obstructions from the channel of the river *Wabash*. This bill the president holds under advisement, stating in a message to the house, that he has strong doubts whether he can approve the bill consistently with his opinions of the powers of the government.

If we had not lost the faculty of being surprised at any executive notion, we confess that we should feel not a little at the scruples expressed in regard to this bill; for the president has not only signed bills appropriating money for the improvement of the Hudson river, and the Cumberland river, in Tennessee; but the United States have heretofore appropriated 700,000 acres of public lands, worth perhaps two millions of dollars, to connect the navigation of this very *Wabash* river with the Lake Michigan, which appropriation will be rendered in a great measure useless for the want of the small sum of \$20,000 necessary to remove an obstruction from the channel of the river. Besides, the *Wabash* was made a national highway by the act of

\*Having looked over this address we feel relieved of the seeming difficulty in which we were placed—for Mr. *Barry* himself freely uses the facts as stated in the publications alluded to.

cession from Virginia, and when the canal connecting it with the lake shall be completed, a vast commerce will be carried on not only by Indiana and Illinois, but by remote parts of the country; indeed already is the river navigable 500 miles by steamboats.

From the same of Wednesday—

We have already had occasion to remark that, at the session of congress which has just closed, the house of representatives passed, favorably or unfavorably, upon every bill which had passed the senate. We are now enabled to say, that the senate also, before its adjournment, passed upon every bill sent to it by the house of representatives. The fact is evidence of great exertion at the close of a session, the greater part of which was not distinguished by particular industry or assiduity. From this last remark, of course, must be excepted those individuals in each house whose devotion to public business was laborious and unceasing. We could particularize, if to do so would not justly be deemed invidious.

Mr. *McLane*, it is understood, will return to Wilmington, with his family, and Mr. *Taney* to Baltimore.

A New York paper says—that Mr. *Bryant*, one of the editors of the New York Evening Post, has been appointed to bear despatches to France. The editor of the Worcester Republican has been appointed post master of that pleasant town, and one of the establishers of the Republican has received an appointment at the Boston custom house, worth \$3,700 per annum!

The Augusta Chronicle publishes a reply from Mr. *W. J. Duane*, to a letter which he had recently received from Augusta, and addressed by the gentlemen, "whose suggestion induced the editor of the Chronicle to nominate Mr. D. for the presidency." Mr. *Duane* says in relation to it:

"I am the son of an American, but I am not myself a natural born citizen, or a citizen at the time of the adoption of the constitution. My father was taken by his surviving parent, from America to Ireland, prior to the revolution; he did not return until after the adoption of the constitution; in the interval I was born, and spent a few of my early years in Ireland, consequently, if I had the presumption to think of entering the door to which you point, I should find it constitutionally shut against me."

*Cobbett*, who is a great pet and favorite with some of the new-made "democrats," recently said—

"I am of opinion that the printing and publishing of the *Bills*, has done a great deal of mischief in the world."

Among the deaths at Charleston, we notice that of the venerable *Solomon Legare*, one of the bravest soldiers and hardest fighters in the army of the revolution, at the age of eighty years.

The Cumberland road bill has been approved by the president, and became a law. It appropriates \$200,000 for continuing the road in Ohio, \$150,000 for Indiana, and \$100,000 for Illinois—\$450,000 in all.

The further sum of \$300,000 is appropriated for repairs of the road on this side of the Ohio, and to carry into effect the laws of Maryland, Pennsylvania and Virginia. When that amount is exhausted, the act directs the road to be surrendered to the states within which it lies—the United States to be discharged from all further liabilities for repairs.

A large number of steamboats are now plying on lake Erie, and many new ones will soon be afloat, some of which are of a very large size. The greater part of the shores of this lake was inhabited by Indians previous to the war of 1812.

The spirit of improvement is handsomely at work in Virginia—and very liberal subscriptions have been made by the city of Richmond, and the bank of Virginia, to carry on the James river and Kanawha improvement. The first took 4,000 and the last 5,000 shares of the stock.

In a late debate in the British house of Commons, much, and well deserved, credit is given to Mr. *Gurney*, for his success in effecting locomotion by steam, on common roads—for which, indeed, the world is greatly his debtor; but we wish to remind our readers that our own countryman, *Oliver Evans*, was the first man who sug-

gested the use of steam power for causing locomotion on common roads, and the first also who actually used it to give locomotion to heavy bodies on land. Had Mr. Evans not been rendered almost misanthropic by what he, (as we thought, erroneously), believed was the injustice and ingratitude of the public, we are of opinion that a discovery, made by him, as to the application of steam power, would have been proclaimed, which, even at this day, would be regarded wonderful; but he frequently told the writer of this paragraph that it should be carried with himself to the grave, and so we suppose that it was—notwithstanding the repeated remonstrances of those of his friends who had full faith in his assertions, with regard to this matter.

Vast quantities of coal, the produce of the mines of Pennsylvania, are descending to Philadelphia and New York, by the canals and rail roads. The price is very low, and now is the time to lay in supplies of this fuel; but the scarcity of money prevents it, and the mines do not employ near so many workmen as they might, at this season of the year. The same remarks may be applied to the bituminous coal mines of Virginia, in which state many new deposits of coal have been recently discovered, in Goochland, Powhatan, &c.

A rail road is now making from London to Birmingham, a distance of 109 miles. Robert Stephenson is appointed chief engineer. The cost is estimated at £3,000,000.

The following statement of the condition of the iron manufacture in western Pennsylvania, is made in a private letter to the editor of the "National Intelligencer," dated Union Town, May 29—

About eight months ago we put in operation our steam forge and furnace, &c. at no small expense. We did not hesitate to give notice to hands that they would find employment and liberal wages. In a short time our stock increased, business went on smoothly, and we were giving employment to about 100 hands, and thought nothing of shipping 100 tons of bloom iron to market at once, getting our money in return at a fair price, say \$77 50 to \$80. We made contracts for ore and coal to a considerable amount, not anticipating so sudden a change; but, to our great surprise, in offering our spring lot, no more than \$65 could be had, and, unfortunately for us, some depreciated paper. We have ordered our men to return their tools—we can no longer employ them; hundreds of applications have since been made, willing to be employed for any thing. We are now blowing up our stock, what to do with it we know not. The last lot sent to Pittsburgh would not sell at any price. Unless some change speedily takes place, the puffing of the steam, the sound of the hammers, and the hum of business, will be hushed in silence, and my old hands, that have grown up with me at the business, scattered I know not where. This experiment has not cost me less than six to eight thousand dollars already, and perhaps another year's loss of business.

A large four story store and ware-house, No. 271 Pearl street, New York, with a chief part of its valuable contents, was destroyed by fire on Tuesday morning last. When the fire was nearly over, and all that remained to be done was to prevent a fresh breaking out of the flames, the walls fell, and nearly buried six of the firemen. Two were killed, but the other four, though much injured, wonderfully escaped with life. It is alleged that if the walls of this house had been honestly built, this calamity would not have happened. Indeed, some of the modern-built houses may well be called traps to kill firemen. It is, however, the duty of the officers of the fire companies, to prevent, if they can, (as we ourselves have done more than once), their fellow members from at all entering job-built houses, if on fire—for the preservation of property only. Let the property go.

The boiler of one of the locomotives on the Harlem rail road (New York), exploded on the 29th ult. and killed a passenger. The engineer, we had like to have said, unhappily escaped with life, but was considerably injured.

A man would have been thought insane, a few years ago, if suggesting the fact stated below, from the New York Evening Star. But we have seen enough in the last 40 years to make us almost ready to charge insanity

on the minds of those who fix limits to the progress of scientific power—

Raising and removing brick houses, is a business very successfully carried on in this city, and is a great curiosity in a scientific point of view. Carrying back a large five story fire proof store ten feet, or making a brick house face another street, would at one time have been considered an extraordinary undertaking. We were admiring the ease and security with which the handsome two story brick house, 210 Bowery, was raised by screws and blocks to a height so as to enable the owner to build another story under it, and when completed it will be a substantial three story house. The raising of this brick house was done by Geo. Bakewell, 177 Elizabeth street, and not a wall was cracked or a timber out of place.

The present crops of wheat and rye are good. The deficiency of the last was considerable. At Kanawha Salines, in the west, flour was recently sold for \$6 50 the barrel; and corn, in Georgia, at 125 cents per bushel.

The last year's crop of grain was rather short, and, with the embarrassed state of trade at New Orleans, has caused an arrival at Wheeling, as noticed below, which is called "something new."

Wheeling, June 21. A steamboat arrived here a few days ago from Cincinnati, loaded with flour, bacon and whiskey. A large quantity of oats has likewise been brought here from the same place. It is believed that there is much more wheat and flour in this neighborhood than will be required for home consumption, but is principally in the hands of those who are holding it back with the expectation of receiving higher prices.

The Washington (Pa.) Reporter of the 24th ult. says: "The operations in the wool business have been quite brisk for the last two or three days—large purchases have been made at a considerable advance upon former prices. The clip of our best flocks is selling at fifty-five cents, and the next quality, at fifty cents."

And on this subject the Northampton (Mass.) Courier says: "If our wool-growing friends have a fair price offered for the new clip, instead of unwisely holding on expecting better ones, we should say by all means, sell it. A letter from an experienced wool grower, in Berkshire, says that large quantities of foreign wool are in the market, a great amount of the domestic article has been forced off by men who wanted the avails, that many manufactories have stopped, and others have curtailed business, and that no good reasons now exist for believing that wool will rise in value rather than diminish this fall. The dissolution of congress without doing any thing to settle the currency or the political affairs of the country, is almost indubitable evidence of all this."

The Lancaster, (Pa.) Journal says that veins of gold, having large deposits, have been found in Lancaster county, which are thought to be as rich as any in the south.

A New York paper says—It is ascertained that the discount paid by the New York merchants, on western bills, is over \$500,000 per annum.

A late French paper has the following notices of the specie currency of France:

From March 28, 1803, to January 1, 1834, the coinage effected at the French mints, was as follows:

Gold coins, value	1,039,131,660 francs or	\$195,837,186
Silver coins,	2,665,609,482 "	499,801,777
	3,704,741,142 francs	\$694,638,963

The coins in circulation in France at the present time, of the coinage effected since 1803, are estimated at 2,000,000,000. or \$375,000,000, besides the sum of 811,000,000. or \$152,062,500, in old coins; making the total amount of the specie currency of France \$527,062,500. But it appears that out of \$694,638,963, the value of the coinage effected since 1803, coins to the amount of 1,704,741,142. or \$319,638,693, have been exported from France, besides old coins, to the amount of 600,000,000. or \$112,500,000; making the total amount of French coins exported, and estimated to be in circulation in foreign countries, 2,304,741,142. or \$432,438,693. [None melted up?]

The steamboat Independence, capt. Pearce, has been sent round to the Delaware, by the directors of the Baltimore and Philadelphia rail road line, to ply between the last named city and Cape May, during the bathing sea-

son. The Independence made the voyage from Hampton Roads to the Delaware breakwater in 14 hours.

It is probable that the use of *locomotives*\* will become common on ordinary turnpike or other hard roads, with moderate ascents or descents. The following is from the Birmingham, (Eng.) Gazette:

Dr. Church's steam carriage was started for the first time on Friday evening, passing from the manufactory along the Green-lanes, and turning in fine style through the Small heath gate, from whence it passed along the Coventry-road. It proceeded at a very rapid rate (say from fifteen to twenty miles per hour) with a great number of persons, (upwards of forty) upon it for a considerable distance; when, in turning short upon the road, the hind part struck the foot path, and broke a small appendage to one of the valves. It was then deemed advisable not to work the machinery further for fear of accident, but to attach the ropes and to haul it back by the workmen. The machinery, boilers and frame work have since been examined, and every part, excepting as above and a connecting tube to the water tank, was found quite sound and uninjured. The carriage will be put into complete order in the course of a few days, and will shortly be run upon the turnpike road, to enable the conductors to acquire the necessary experience. The trial is highly satisfactory as to the power of the engine.

A steam carriage is building at Paris to travel on the common French roads, to convey 30 passengers.

The damages sustained in the city of New York by the firing of Chinese crackers, by children, is estimated at 50,000 dollars a year!—and many persons are injured by the running away of horses, &c. There ought to be power, and it should be exerted, to relieve the people of this pest. The little urchins are hard to manage—but those who supply them with the means of annoyance may be reached. The evil has been cured in Boston.

A dreadful tornado passed over Williamsburgh, Va. and the parts adjacent, on the afternoon of the 21st ult. From 50 to 70 chimneys were blown down in the old city of Williamsburgh, but no lives lost—and many houses much injured or utterly demolished in the country. Several negroes and horses were killed, and many badly wounded. We think that we never before heard of such a succession of tornadoes as have lately visited the south.

There was a late trotting match, under the saddle, for a bet of \$200, between three horses, over the Harlem Park course, New York. Three heats of three miles each, (less 44 yards in the mile) were performed at the average rate of rather less than 2 m. 40 sec. to the mile. Which time (says the N. Y. Courier) has never been made before in a trotting match in any part of the world. The course, it is well known, is a heavy one, has a bad hill and a short turn.

There has been some difficulty between the master bakers and journeymen, at New York, and the latter "turned out." Among other resolutions passed by the latter, we notice the following:

That we consider it as conducive to the welfare of the trade, that no employer retain more than one apprentice at a time, and him under indenture for no less than five years; and said apprentice employed to be paid as he progresses.

This is going much too far. If the rule is a good one, it applies to every mechanical or manufacturing department—and if employers may take only one apprentice each, in five years, we should soon be in a "pretty condition," indeed! What would become of the youths? The proposition is absurd. It is in utter repugnance to the public welfare.

A person was instantly killed at the raising of a hickory pole, near Reading, Penn. on the 13th ult. in consequence of the apparatus for hoisting it not being sufficiently secured. The pole was 150 feet in length.

A good many years have passed since we suggested such circumnavigation, as is stated in the following paragraph, copied from the "Buffalo Journal."

\*We have had an objection to the use of this word, for it applies as well to a boat as to a wagon, &c. but as by general consent it seems about to be applied only to the latter, and as we need some word to express the idea briefly, perhaps it will do as well as any other.

A little steamboat called the *Caroline*, came into harbor a few days since, which was built in South Carolina, has made her way through Quebec, &c. here, and is bound, we understand, for the Mississippi, through the lakes.

We learn from the Cincinnati Intelligencer that fatal cases of cholera have happened in that city; and that "many complain of the premonitory symptoms." We pray that this pestilence may not be added to the general distress that prevails from other causes!

After naming several persons who have recently died of the cholera, at Louisville—the account proceeds to say—"It has been made certain, that those persons who were supposed to have been poisoned by partaking of food prepared for a wedding party, were cases of cholera.

It seems that there is about to be another revolution in Mexico!—which may end in the establishment of a kingly power, and its natural ally, a state religion. We have some particulars, but do not feel much interest in the intrigues and quarrels of military chieftains. The people must be taught to know that "glory" in the field, has no relation to wisdom or virtue in the cabinet.

Late accounts from India (says the Baltimore American), speak of preparations for working the coal mines that exist in the interior. The district of *Cutch* has been discovered to be full of coal seams. The specimens are all anthracite. The late French traveller, Jacquemont, found anthracite coal in another district, and it seems to be very widely diffused throughout the peninsula.

In one of Jacquemont's letters from India, occurs a phrase of compliment to the British governor general Lord William Bentinck, which is worth quoting. It contains a two-fold eulogy. He says "the man who does much honor to Europe in Asia, is he who governs it. Lord Bentinck, on the throne of the great Mogul, thinks and acts like a quaker of Pennsylvania." We commend this to our Pennsylvania brethern, as a curious but flattering homage to the spirit of their institutions.

It has been decreed that "the liberty of public worship is not prohibited in the republic of *Venezuela*," and the Protestant bishop of Barbadoes has "consecrated" a burial ground in Caraccas. This is the first instance of a Protestant bishop's treading the soil of Venezuela in his ecclesiastical capacity.

The London Weekly Dispatch, in declining to publish a "subaltern's eulogy on a great captain," takes occasion to remark that they have but little respect for heroes, in the common acceptance of the term, but there have been great leaders, whose memory will be ever dear to freemen—such were

"LEONIDAS and WASHINGTON,  
Whose every battle-field is holy ground,  
Which breathes of nations saved—*not* worlds undone.

How sweetly on the ear such echoes sound!

While the mere victors may appal, or stun  
The servile or the vain: such names will be  
A watchword, till the future shall be free!"

The following prices will show the difference between the value of wheat in London and cities on the continent. The prices affixed are for eight bushels of wheat, imperial measurement.

London red wheat	52s.	white do.	58s.
Hamburg do.	27s. 1d.	do. do.	29s. 8d.
Amsterdam do.		do. do.	30s. 8d.
Antwerp do.	23s. 8d.		
Stettin do.	23s. 10d.		

The following is a copy of the late *treaty of peace* between the Fardowns and Corkonians, laboring on the Baltimore and Washington rail road. The reverend gentleman spoken of is a priest of the Roman Catholic church, and has been successful on several like occasions, on which, while rendering due and well merited praise to *him*, we must be permitted to say that the necessity of *his* interference reflects no praise on his *countrymen*, for the civil power should always be sufficient to support the civil law among them.

On the 24th June, 1834, the subscribers, in the presence of the rev. John McElroy, have respectively and mutually agreed to bury forever, on their own part, and on behalf of their respective sections of country, all remembrance of feuds and animosities, as well as injuries sustained. They also promise to each other, and make a sincere tender of their intention, to preserve peace, harmony and good feeling between persons of every part of their native country without distinction.

They further mutually agree to exclude from their houses and premises, all disorderly persons of every kind, and particularly habitual drunkards: They also resolved, and do intend to apply in all cases, where it is necessary, to the civil authorities, or to the laws of the country for redress—and finally, they are determined to use their utmost endeavors to enforce, by word and example, these their joint and unanimous resolutions.

Signed by fourteen of the men employed  
on the 4th, 5th and 8th sections of the } on behalf of  
2d division Baltimore and Washington } all employed.  
rail road.

And also by thirteen on the 8th section } on behalf of  
of the 1st division. } all employed.

There has been a great deal said in the Baltimore newspapers concerning certain "Tennessee bonds" to the amount of 500,000 dollars.—The following relates to some other negotiations or dealings of the bank of Maryland and the Union bank of Tennessee:

"Notice. All persons are hereby forewarned against purchasing, trading for, or receiving six hundred and nine shares of the capital stock in the Union bank of the state of Tennessee—now on the books of the Union bank of Maryland. Said bank having no authority to transfer the same, or issue certificates thereon—and said stock being in the name of the Union bank of Maryland without authorised transfer.

A. VANWYCK, cashier of the Union bank.

Union bank, Nashville, June 14, 1834.

While on this subject we may notice two decisions of the high court of appeals, in Maryland, with relation to bank matters:

June term, 1834—Saturday, June 28. Chief justice Buchanan announced the unanimous opinion of the judges, refusing an injunction upon the application of the Union bank of the state of Tennessee vs. Ellicott, Morris and Gill, trustees of the bank of Maryland, and sanctioning the opinion given the trustees by their advisers. The debtors of the bank of Maryland have consequently the right to pay their debts in the notes, certificates of deposit and open accounts due by that bank.

It is understood that the judges thought that this right was secured the debtors, both by the deeds creating the trust, and the circumstances accompanying their execution, as also by the acts of assembly of 1818 and 1824.

Chief justice Buchanan, on a bill filed by several stockholders of the Union bank of Maryland against Poultney, Ellicott & Co. of Baltimore, awarded to-day an injunction to prevent the defendants from voting at the next election of directors of the Union bank, two thousand shares of the stock of the bank, alleged by the complainants to have been transferred to a number of persons unknown, by the defendants in February and March last, in intentional invasion of the provision of the charter, limiting the number of votes to be given at any such election by any one stockholder to sixty.

The defendants are to have the privilege of filing their answer, and of moving to dissolve the injunction at an early day preceding the election.

The following proceedings were had in Baltimore county court, on the 1st instant:

Gordon and others, vs. Poultney, Ellicott and others. Injunction to restrain the defendants from voting divided stock in the Union bank of Maryland. The chief justice, who awarded the injunction in this cause, ordered that the defendants might answer the bill, and move for a dissolution of the injunction before the fourth of July. The defendants moved for a dissolution to day, but without filing an answer (which must be on oath) and put in a demurrer and answer not denying the facts, but generally denying all fraudulent intent. This was resisted by the complainants, and the right to discharge the injunction denied, unless the defendants denied the facts alleged against their result; and so the court (judges Magruder and Purviance) decided. The defendants then prayed leave to withdraw the prior pleadings, which was granted; and they put in a general demurrer which the court refused to receive with reference to

this motion, and then the defendants removed the cause to the court of chancery upon affidavit and suggestion, that it was not intended for delay. The complainants moved that the transfer books and powers of attorney in the bank might be brought in for inspection, but the court took no order upon that motion. The injunction in this case applies to 2,000 shares Union bank of Maryland stock, alleged to be hypothecated to the Union bank by Poultney, Ellicott & Co. and then transferred to various persons to increase the number of votes, which the charter confines to sixty voters in favor of each stockholder. Gordon, Gill, Frick and McMahon, counsel for complainants. O. Scott, Constable and Williams, counsel for defendants.

The African slave trade is very extensively carried on from Cuba. The convention and laws for its suppression, seem to be almost dead letters. Twenty-four slave vessels were recently lying at Havana, at one time. Some of them bring 500 victims—"jacked like pickled herring," and the market for them is "brisk."

INDIAN AFFAIRS. Allusions have been made by the Washington correspondents of the eastern papers, to the abuses in the Indian department, and frequent calls have been made for the report of the committee on Indian affairs of the house of representatives, under the supposition that it contained a full development of those abuses. From an examination of the report, however, it appears, that the principal object of the committee in making it, was to prevent abuses in future. The report seems, with a view to secure a real reform, to have avoided all topics of a culatory character, or that could be used to excite party considerations. The two bills which have passed the house of representatives, and will, we have no doubt, pass the senate, will go far to secure the object of the committee. The first bill reduces the expenditure of the Indian department more than one half. From a table annexed to the report, it appears that the average annual expenditures of the last five years, was \$148,274. By this bill, it will be reduced to \$61,650. This most important bill (to organize an Indian territory) was, for want of time, postponed to the next session of congress; when it will probably receive the early consideration of congress. [Nat. Int. June 28.]

DR. ZOLLICOFFER'S "PATENT CARRIAGE WHEEL GUARD." Our enterprising fellow citizens Messrs. Stockton & Stokes, say the Baltimore Patriot, are continually on the *qui vive* for new improvements that may promote the ease, comfort and security of travellers. We have noticed some of these heretofore; and on Wednesday evening we examined one of their coaches constructed upon an entirely new principle, by which the safety of passengers is rendered much more secure than formerly, as no accident can separate the wheel from the carriage. We are furnished with the following technical description of this invention.

This apparatus consists of a cylindrical flanged rim of iron: guards: a circular collar; and a semicircular cap.

The axle tree and wheels are made in the usual manner. The cylindrical flanged rim of iron, is either cast whole with the hub, or in sections, and screwed to its periphery, in a groove having two flanges, one on each side, raised sufficiently high to form a groove to receive the collar.

The guards are made of iron, nearly in the form of the letter Z and screwed to the axle tree by a joint and screw bolt.—To each axle tree there are four guards, two on each side.

The circular collar, made of iron is secured to the ends of the guards, and is put around the cylindrical rim in the groove formed by the flanges.

A semi-circular cap secured to the guards by hooks and staples, is put over the hub to prevent dirt falling in the groove around the rim.

Let the line pin come out, the nut become disengaged, the spindle break within the hub, or at the shoulder of the axle tree or the axle tree break at any point, the wheels nevertheless continue to revolve, without any displacement whatever, and the body suspended on the axle remains in its position, as though no accident had happened.

## TWENTY-THIRD CONGRESS—FIRST SESSION.

### SENATE.

June 26. In the evening session many bills which had been matured, were passed. [C—In this stage of the proceedings, it is not worth the room to enumerate them, unless on account of some peculiarity attending their passage, for the reason that a list of all the acts passed at the session is published.]

June 27. The chair communicated a report from the department of state, in obedience to a call from the senate, in reference to the classification of the inhabitants of the United States, showing the proportion of whites to blacks; also a similar report on another call. Ordered to be printed.

Mr. Webster made a report from the committee on finance—see page.

Memorials, proceedings of meeting, &c. opposed to the action of the executive against the U. States bank, and the removal of the deposits, &c. were presented, by Mr. Ewing, from 103 citizens of Harrison and Piqua counties, Ohio; by Mr. Tomlinson, from 250 citizens of Newton, Conn.; by Mr. Clay from 1,700 inhabitants of York county, Pennsylvania; by the same

from 700 inhabitants of Bourbon county, Kentucky, and by the same, the proceedings of a meeting in Butler county, Pa.; which were severally read, &c.

Mr. Morris presented the memorial of 1,655 inhabitants of Portage county, Ohio, sustaining the course of the executive against the United States bank, &c.; which was referred, &c.

Memorials, &c. on the subject of the removal of the public finances from the bank of the United States (and the public finances were presented by Mr. Hendricks, (two memorials) from sundry citizens of Indiana; and by Mr. Watkins, from sundry citizens of York county, Pa.; also from Roxborough, West Chester and Washington; which were severally read, referred, &c.

On motion of Mr. Ewing, the senate proceeded to consider the resolutions reported by the majority of the committee on the post office.

Mr. Forsyth suggested that it would save time to take up the bill in order of the resolutions.

Mr. Grundy said the bill was the deductions of one mind only, and as the committee were to sit during the recess, a better bill could be prepared by the next session.

Mr. Ewing then addressed the senate in explanation of the several resolutions and in their support. He continued until he was interrupted by the arrival of the hour for the recess.

Evening session. Mr. Ewing resumed his remarks, in illustration of the resolutions on the post office and continued for half an hour.

Mr. Grundy replied to Mr. E. and occupied the senate until near 6 o'clock.

Mr. Wright then made some observations on the state of the business before the senate, and moved to lay the subject on the table, and called for the yeas and nays on that motion, which were ordered.

Messrs. Clay and Clayton requested the withdrawal of the motion, but Mr. Wright declined; and the question was taken, and decided as follows:

YEAS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King, of Alabama, King, of Georgia, Morris, Robinson, Shepley, Swift, Tallmadge, Tipton, White, Wilkins, Wright—18.

NAYS—Messrs. Bibb, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Smith, Southard, Sprague, Tomlinson, Tyler, Waggaman—20.

So the motion was negatived. Mr. Clayton addressed the senate for nearly an hour. He was followed by Messrs. Clay, Grundy, Robinson and Ewing; when on motion of Mr. Ewing, the last resolution as reported by the majority of the committee was stricken out and substituted by one directing the committee to inquire in the recess, and report the number of editors of newspapers who have mail contracts, the amount of extra allowance paid them; the number who have mail routes with newspaper privilege; and the names and number of travelling agents, and the sums paid them.

Mr. Ewing then asked for a division of the question upon the resolutions; which was agreed to.

After some remarks from Messrs. Grundy, Clayton, Ewing, Webster, Clay, Robinson and Benton,

Mr. Webster said he would propose to take the question on the first resolution, which related to the borrowing of money by the department, and, after that, as the minds of all the gentlemen were not made up upon questions embraced in the other resolutions, he would move to lay the remainder of the resolutions on the table.

The question was then taken on agreeing to the first resolution reported by the committee in the words following:

“Resolved, That it is proved and admitted that large sums of money have been borrowed at different banks, by the postmaster general, in order to make up the deficiency in the means of carrying on the business of the post office department, without authority given by any law of congress; and that, as congress alone possesses the power to borrow money on the credit of the United States, all such contracts for loans by the postmaster general are illegal and void.”

And decided as follows:

YEAS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Chambers, Clay, Clayton, Ewing, Forsyth, Frelinghuysen, Grundy, Hendricks, Hill, Kane, Kent, King, of Alabama, King, of Geo. Knight, Linn, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Robinson, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster, White, Wright—41.

NAYS—None.

So the resolution was unanimously agreed to.

Mr. Webster congratulated the senate on the unanimity with which the vote had been given upon this proposition. He now, according to notice, moved to lay the remaining resolutions on the table; which motion was agreed to.

A message was received from the house of representatives, stating that the house had passed a joint resolution, suspending the rule which prohibits either house from sending bills to the other within the three last days of the session. It was laid on the table.

On motion of Mr. Poindexter, the senate proceeded to the consideration of executive business; after being engaged therein until half past 10 o'clock, the senate adjourned.

June 23. On motion of Mr. Grundy the committee on the post office and post roads were discharged from the further

consideration of all other subjects not acted on, than the resolutions of the post office committee laid on the table.

On motion of Mr. Webster, the joint resolution from the house suspending the rule which prevents the transmission of bills from one house to the other during the last three days of the session, was taken up, amended and agreed to.

Mr. Southard submitted the following resolution:

Resolved, That the committee on finance have leave to sit in the recess on the subjects with which they were charged by the resolutions of February 4, and May 5; and that said committee be further instructed to inquire whether the bank of the United States has violated its charter; whether any moneys of the United States remaining in said bank are safe; what has been the conduct of the bank since 1832 in regard to the extension and curtailment of its loans and discounts, and to its dealings in internal exchange; and what has been its general conduct and management since that period.

Mr. Preston submitted a resolution providing for the report called for by his resolution of the 5th instant relative to United States' pensioners, being made to the secretary of the senate during its recess; for its being printed and distributed.

Many bills were severally read the third time and passed. On motion of Mr. Webster the senate proceeded to consider the bill to regulate the gold coins of the United States, and on his motion the senate struck out from the bill the lines making provision for the gold dollar—

A debate ensued on the bill, in which Messrs. Webster, Ewing, Calhoun, Sprague, Benton, Porter, King, of Geo. Sprague and Chambers participated.

The question being taken on the engrossment of the bill for a third reading, was decided as follows:

YEAS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Ewing, Frelinghuysen, Grundy, Hendricks, Hill, Kane, Kent, King, of Ala. King, of Geo. Leigh, Linn, Mangum, Morris, Poindexter, Prentiss, Preston, Robbins, Robinson, Shepley, Smith, Swift, Tallmadge, Tipton, Tomlinson, Tyler, Waggaman, Webster, White, Wilkins, Wright—35.

NAYS—Messrs. Chambers, Clay, Knight, Porter, Silsbee, Southard, Sprague—7.

The bill was then passed. The bill to regulate the circulation of foreign gold coins in the United States was taken up, amended and passed.

On motion of Mr. Mangum, the senate took a recess (at ½ past 2), for one hour.

Evening session. The vice president did not take the chair at the opening of the evening session.

On motion of Mr. Webster, the senate proceeded to the election of a president pro tem.

The balloting having proceeded, on counting the same, the following are the several results:

	1st ballot.	2d ballot.	3d ballot.
Mr. Poindexter.....	21	20	22
Mr. King, of Alab.....	14	13	10
Mr. Bibb.....	1	1	1
Mr. Clay.....	1	1	
Mr. Frelinghuysen.....	1	1	
Mr. Waggaman.....	1	3	1
Mr. Tyler.....	1		1
Blanks.....	2		
Mr. Calhoun.....		1	
	42	40	42

Mr. Poindexter having received a majority of the whole number of votes on the third ballot, was declared duly elected president pro tem. and was conducted to the chair by Mr. Chambers. From his seat in the chair Mr. P. then rose and addressed the senate to the following effect:

Senators: Penetrated with the most profound sense of gratitude for the kind manifestation of your confidence in calling me to preside over the deliberations of this honorable body, I rise to express to you my thanks, and the unfeigned diffidence with which I enter upon the discharge of the arduous and delicate duties assigned to me. Unskilled in the technical rules of parliamentary proceedings, I feel sensible of my own defects, and that on all occasions of doubt and difficulty, I must rely on the indulgence of the senate, and the friendly aid of those senators who have more experience in such matters than myself. Permit me, gentlemen to assure you, that for the few more remaining hours of the present session, and so long as I may occupy the chair, it shall be my constant endeavors to meet your just expectations, and to preserve the order and decorum of debate, so necessary to the harmony and dignity of every deliberative assembly, and to the despatch of the important business which may be brought to the consideration of the senate.

On motion of Mr. Chambers, a committee was ordered to be appointed to wait on the president of the United States, and inform him that the senate have elected the hon. George Poindexter to be their president pro tem; and that the secretary do communicate the same to the house of representatives.

On motion of Mr. Silsbee, the bill making appropriations for building light houses, placing light vessels, &c. was taken up, and after being discussed and various amendments adopted, was

On motion of Mr. Clay, laid on the table by the following vote.

YEAS—Messrs. Benton, Bibb, Black, Calhoun, Clay, Ewing, Grundy, Hill, Kane, King, of Georgia, Leigh, Linn, Mangum, Moore, Poindexter, Prentiss, Preston, Robinson, Smith, Swift, Tyler, White—22.

**NAYS**—Messrs. Chambers, Clayton, Hendricks, Kent, King, of Alabama, Knight, Naudain, Porter, Robbins, Silsbee, Southard, Sprague, Tallmadge, Tipton, Tomlinson, Waggaman, Webster, Wright—18.

So the bill was laid on the table.

This motion, for reasons assigned, was, afterwards, on the motion of Mr. Clay, reconsidered—17 to 15.

The senate concurred in the amendments of the house to the bill concerning duties on hardware.

The amendment of the house to the bill for the benefit of the Polish exiles; which amendment subjects the Poles to the minimum price on the lands selected, (1 25 per acre), was on motion of Mr. Clay disagreed to.

The bill making appropriation for the Potomac bridge, was considered, the whole bill stricken out after the first section, the bill amended on motion of Mr. Wright, modified by Mr. Bibb, and the amendment ordered to be engrossed for a third reading.

After passing various bills which will be hereafter noticed in the files.

On motion of Mr. Webster, the senate at 11 o'clock went into executive business, and after some time spent therein, adjourned.

June 30. Mr. Webster presented certain resolutions from Springfield, Mass. against the removal of the deposits; referred, &c.

Also a memorial from citizens of Boston, correcting errors in the signatures of the anti bank memorial of that city, by which the 3,000 names of alleged Bostonians are reduced to 1,130, and stating that the living and the dead, the citizens of all towns, and several states, are contained in that memorial. The memorial was referred and ordered to be printed.

On motion of their respective chairmen, the several committees were discharged from the consideration of subjects unacted upon.

The bill to remit the duties on locomotive engines was laid on the table.

The bill from the house to regulate intercourse with the Indians, was read, amended and passed.

The senate proceeded to consider the resolution offered by Mr. Southard, instructing the committee on finance to sit during the recess, in order to investigate the condition of the banks to which the public deposits are made.

Mr. King opposed the resolution, and was replied to by Mr. Southard. The yeas and nays being called for by Mr. Hill, the resolution passed by the following vote:

**YEAS**—Messrs. Bibb, Chambers, Clay, Ewing, Frelinghuysen, Knight, Leigh, Mangum, Moore, Naudain, Poindexter, Porter, Robbins, Silsbee, Smith, Southard, Sprague, Tomlinson, Waggaman, Webster—20.

**NAYS**—Messrs. Grundy, Hendricks, Hill, Kane, King, of Alab. King, of Georgia, Robinson, Shepley, Tallmadge, Tipton, White, Wright—12.

On motion of Mr. Wright, the senate proceeded to consider the bill, from the house of representatives, appropriating \$70,000 for the improvement of the navigation of the Hudson river.

Mr. Calhoun was opposed to making an appropriation so wide in its latitude.

Mr. Clay had designed to make an amendment to embrace the obstructions in the river between Albany and Troy; but if the senators from New York would give a pledge that the money should be equally expended above and below Albany, he would not press his amendment.

Messrs. Wright and Tallmadge stated their readiness to have the money equally expended.

Mr. Smith moved an amendment, including an appropriation for the improvement of the Connecticut river.

Mr. Tomlinson advocated the amendment; and said it was important and had heretofore been included in a bill vetoed by the president.

Mr. Webster was in favor of the object, but was opposed to pressing the amendment now, as it might hazard the present bill.

Mr. Calhoun was opposed to so hasty a passage of such a bill, and moved to lay it on the table.

The yeas and nays were ordered on this question, which was decided as follows:

**YEAS**—Messrs. Benton, Bibb, Black, Calhoun, Grundy, Hill, King, of Geo. Leigh, Linn, Mangum, Moore, Preston, Shepley, Tyler, White—15.

**NAYS**—Messrs. Clay, Ewing, Frelinghuysen, Hendricks, Kane, Knight, Naudain, Poindexter, Robbins, Robinson, Silsbee, Smith, Southard, Tallmadge, Tipton, Tomlinson, Waggaman, Webster, Wright—19.

So the motion to lay the bill upon the table was negatived.

The question was then taken on the amendment moved by Mr. Smith, and the amendment was negatived.

Mr. Tomlinson moved to amend the bill, by introducing an appropriation of 25,000 dollars for the improvement of the river Thames; which was negatived.

The question was then taken on the engrossment of the bill, and decided as follows:

**YEAS**—Messrs. Clay, Ewing, Frelinghuysen, Grundy, Hendricks, Kane, Knight, Naudain, Poindexter, Robbins, Robinson, Silsbee, Smith, Southard, Sprague, Tallmadge, Tipton, Tomlinson, Waggaman, Webster, Wilkins, Wright—22.

**NAYS**—Messrs. Bibb, Black, Calhoun, Hill, King, of Alab. King, of Geo. Leigh, Linn, Mangum, Moore, Preston, Shepley, Tyler, White—14.

The bill was then read a third time and passed.

On motion of Mr. Tyler, the senate took up the bill appropriating 500,000 acres of land for the satisfaction of land warrants of the officers and soldiers of the Virginia continental line.

After some discussion the bill was laid on the table; yeas 19, nays 15.

The senate agreed to the amendment of the house to the bill granting a township of land to the exiled Poles.

The senate asked a conference with the other house on the disagreeing vote on the Potomac bridge bill, and appointed Messrs. Chambers, Tomlinson and King, of Georgia, the committee on the part of the senate.

The amendment of the senate to the bill to regulate Indian intercourse, which provides that the provisions of the intercourse bill of 1823 shall not be interfered with as regards the Indians east of the Mississippi, having been non concurred in by the house.

On motion of Mr. Frelinghuysen, the senate agreed to insist on the amendment.

The chair having called up the bill to regulate the public deposits in the state banks.

Mr. Webster said he was ready to meet discussion on the bill, or to assent to laying it on the table. He was instructed to move an amendment, which was printed with the report of the committee, if the bill should be taken up for consideration.

On motion of Mr. Black the bill was then laid on the table.

Mr. Chambers from the committee of conference on the Potomac bridge bill made a report.

The resolution moved a few days since relative to printing the pension information, called for by Mr. Preston's previous resolution was adopted.

The resolution giving the committee on public lands authority to issue commissions take to testimony during the recess was agreed to.

Mr. Benton presented some papers from the treasury department, showing the exportations of specie during the last two weeks; which were ordered to be printed.

Mr. Hendricks presented a memorial from Indiana against the removal of the deposits—referred.

The resolution offered by Mr. Wilkins, for a subscription to Elliott's diplomatic code, as amended, was adopted.

The resolution reported by the committee on the Judiciary, directing the printing of the old journals, was taken up and laid on the table.

Mr. Bibb submitted a resolution which was adopted, allowing to the department of state, for the purpose of completing the statistical report by states and territories, the use of a report formerly made from that department to the senate.

Mr. Benton laid on the table the following resolution:

*Resolved*, That the resolution of the senate, adopted on Friday, the 28th day of March last, declaring "That the president, in the late executive proceedings, in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both," is a resolution imputing impeachable matter to the president, and ought not to have been passed upon by the senate, except in the regular forms of a constitutional impeachment, and that the said resolution ought to be expunged from the journal of the senate, and is hereby directed to be expunged therefrom accordingly.

Mr. Mangum moved the consideration of the resolution now.

Mr. Tallmadge objected.

Mr. Clay remarked that a third of the senate had left the city, and he hoped it would be observed at what time the resolution was offered.

Mr. Benton said he did not ask a decision now, but merely offered it as a notice of his purpose at the next session.

The resolution was laid on the table.

At a quarter before 4 o'clock, the senate proceeded to the consideration of executive business, and remained therein until half past 6 o'clock, when the doors were reopened.

Mr. Benton then moved for leave to withdraw the bill to graduate the price of the public lands, and also the bill to grant townships of land to Louisiana, Indiana, Illinois and Missouri.

Mr. Clay called for the yeas and nays, which being ordered, the question was taken and decided as follows:

**YEAS**—Messrs. Benton, Hendricks, Hill, Kane, Linn, Robinson, Shepley, Tallmadge, Tipton, White, Wright—11.

**NAYS**—Messrs. Bibb, Black, Calhoun, Chambers, Clay, Frelinghuysen, Kent, Knight, Leigh, Mangum, Poindexter, Porter, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Tomlinson, Webster—20.

So the motion was negatived.

A communication was received from the house of representatives announcing that they had appointed, on their part, a committee to wait on the president, to know if he had any further communication to make.

A committee was immediately appointed by the senate, on their part.

Mr. Grundy reported from the committee, that they had waited on the president of the United States, and that he had informed them that he had no other business to communicate; that he had signed all the bills passed by the two houses, except the one concerning the Wabash navigation, in regard to which the president had said—"The bill entitled 'an act to improve

the navigation of the Wabash river, has been presented to me at so late a period of the session, with so many others that call for immediate action, that I have not been able to give it the full consideration which its importance merits. I have strong doubts whether I can approve this bill, consistently with the opinions I entertain as to the powers of this government on subjects of this description. But my respect for the decision of the two houses of congress, and for the large body of my fellow citizens who are interested in this improvement, induces me to hold the bill for the present, that I may, during the period allowed to me by the constitution for that purpose, give to it the most careful and deliberate consideration."

Mr. Clay remarked that the bill for the navigation of the Hudson river had been presented to-day, and that had been signed, while the bill concerning the Wabash was previously presented, and that was not signed. It would not be a constitutional act, he added, if it were signed after to-day.

Mr. Webster concurred in this opinion.

Mr. Grundy differed.

After a few words from Mr. Tullmadge, it was Ordered, That a message be sent to the house of representatives to inform the house that the senate were now ready to adjourn.

On motion of Mr. Webster, the senate then adjourned sine die.

#### HOUSE OF REPRESENTATIVES.

Thursday evening, June 26. After other business, the house, in committee of the whole, proceeded to the bill to enable the secretary of state to purchase the books and papers of general WASHINGTON.

Mr. Pierson, of New York, moved to amend the bill, by striking out \$25,000, and inserting \$35,000.

Mr. Wilde described the papers to be purchased, (which consist of upwards of two hundred manuscript volumes, in folio, chronologically arranged, and strongly bound). Among other interesting papers, these volumes contained duplicate lists of all the officers of the army who held their commissions at the time the army was disbanded. As the only other copy of these lists had been consumed in the destruction of the war office, they now furnished the only means of checking false claims to pensions, several of which, to a large amount, had already been detected, by a resort to these papers, when no other means of resisting them was extant. The government had already saved to itself a large portion of the money asked for these manuscripts; they were therefore invaluable to the country.

Mr. Jarvis resisted the amendment with warmth. In his part of the country, a bargain was a bargain. The owner of these papers had agreed to take \$25,000, and now, because they were found valuable to the country, it was attempted to exact \$10,000 more.

Mr. Wayne vindicated the owner of these papers from the imputation of extortion thrown out by Mr. Jarvis. The amendment was the spontaneous act of the committee themselves, and had been moved without his privacy or consent.

Mr. Hawkins, of N. Carolina, moved to reduce the amount to \$15,000, but his motion not being in order,

The question was then put on the amendment proposed by Mr. Pierson, and negatived—ayes 51, noes 89.

The bill was then laid aside.

The bill to purchase live oak frames for the frigate Paul Jones and the sloop of war Levant; was, after some discussion, postponed.

The bill to rebuild the frigate Congress, the bill to provide for constructing three steam batteries, and the bill to regulate the pay of the navy, were severally considered and laid aside.

The committee then proceeded to the bill establishing rations for the navy.

Mr. Walmough moved that it be postponed.

Mr. Parker hoped not. He called for the reading of the bill. It was read, and its culinary details about pickles, cranberries, rice and cheese, occasioned much laughter in the house, (inasmuch that the clerk himself caught the infection, and was with difficulty able to proceed.)

Mr. Parker was glad to see the house in so good a humor, and he hoped they would continue so until they had passed the bill. He explained why this particular feature of the general system of improvement had been selected and placed in a distinct bill. It was mainly to second the laudable efforts of the secretary of the navy, in discouraging the use of ardent spirits among our sailors, by allowing substitutes more conducive to their health, comfort and morals.

Mr. Burges admitted the great importance of the subject, regretted that it should have been put off till within a few hours of the close of the session. He was opposed to any thing like precipitation, in attempting so great a change in the habits of our tars. He dreaded any measure in the form of positive prohibition, lest it should produce reaction, and only confirm the evil which it sought to remove.

Mr. Walmough objected to the consideration of the bill. He said the gentleman from New Jersey had picked out this particular item concerning rations from the general system of revised laws for the navy, which the naval committee had determined not to touch. He did not consider it at any time expedient forcibly to deprive our Jacks of their grog. The bill had been brought forward in direct opposition to the opinions of the committee.

Mr. Parker said he should admit this to be true, if he did not personally know the contrary to be the fact. This very bill had

been brought before the committee. It was a part of the very code, the origination of which the gentleman had claimed, and which, if it were so, reflected great credit upon him. Would he object to this bill because it carried into effect a part of his own plan. Mr. P. repeated that the bill had been approved by the committee; and he would go further and state that it was approved by the secretary of the navy.

Mr. Walmough said it was with difficulty that he brought himself to entertain any discussion of this matter. The gentleman from New Jersey had a warrant in his gray hairs for making assertions which had a bearing on the veracity of other gentlemen, and was perfectly safe in whatever he chose to say. Mr. W. was not aware of any assent of the committee to bringing the bill forward. He would not appeal to the committee, but stated it as a fact that the committee had expressly resolved not to bring the subject forward, and press it at this time.

Mr. Patton here interposed, and said further explanations between the gentlemen were needless, and tended only to produce a greater aggravation of feeling. They were in fact both right and both wrong. The gentleman from Pennsylvania was perfectly right in saying that the committee had resolved not to take up the general subject, and the gentleman from New Jersey was equally right in stating that he had brought forward the present bill in committee, that it had been discussed and determined that he might bring forward the bill, but that the members of the committee would not hold themselves pledged to support it. He was decidedly opposed to the bill. He was not disposed to empower the commanders of our public vessels to compel Jack to part with his grog and eat double rations of pickles or cheese. He moved that the bill be postponed, and the bill was accordingly postponed.

The committee took up the bill to improve the navigation of the Hudson river; which, after discussion and amendment, was laid aside.

The bill granting additional lands for the satisfaction of revolutionary land warrants, was then taken up, and after being gone through with and amended, was laid aside, and then the committee rose and the several bills were reported to the house.

The house took up the fortification bill, and the question being on a motion to strike out the enacting clause, it was negatived.

Mr. Polk moved to strike out the appropriation of \$100,000 for a fort upon George's island—ayes 64, noes 55.

The chair declared that was a quorum had voted.

Mr. Polk insisted that it was a quorum, because vacant seats were not to be counted.

The chair interpreted the rule otherwise, and decided that a quorum must consist of one half the entire number of the house, without regarding vacancies that had occurred.

A debate ensued, and the motion was finally rejected, yeas 73, noes 80.

Mr. Polk then moved to strike out the item of \$100,000 for the fort on Throg's Neck—which was negatived 65 to 80.

Mr. Polk then moved to strike out the item for a fort at Grand Terre, Louisiana—rejected without a count.

Mr. McKim moved an amendment, appropriating \$25,000 to commence forts of the first and second class at Baltimore.

Mr. Polk opposed the amendment and it was rejected.

Mr. Polk moved to lay the bill on the table, which was rejected, yeas 40, noes 95.

The bill was then ordered to its third reading.

The West Point academy bill was taken up, and after debate ordered to a third reading.

After disposing of various other bills, the house, at 10 o'clock, adjourned.

Friday, June 27. Memorials, proceedings, &c. opposed to the proceedings of the executive in the removal of the depositories, &c. were presented by Mr. Denny, the proceedings of a meeting of the citizens of Mercer county, Pa.; by the same, from the citizens of Crawford county, (disapproving also of the doctrines of the protest), and other measures of the executive; by the same, from four wards of Pittsburgh and fifteen townships of Allegheny county; by the same, the proceedings of the state convention convened at Harrisburg on the 27th May last; all which proceedings, &c. were severally read, referred, &c.

Mr. Denny also presented the proceedings of a meeting of citizens of Mercer county, Pa. favorable to the measures of the executive against the bank, which was read, &c.

Various bills from the senate were reported from the several committees, committed, laid on the table or passed.

Mr. E. Everett reported a resolution directing that the statue of Mr. Jefferson, presented to congress by lieutenant Levy, of the navy, be placed in the square at the eastern front of the capitol; which resolution was read and assented to.

Mr. Jarvis submitted a resolution which was unanimously adopted, directing the clerk of this house to pay to John Vanderlyn, out of the contingent fund, \$1,500 as additional compensation for the full length portrait of Washington, executed by him, to be placed in the hall of representatives.

Mr. Polk introduced by consent, a joint resolution, suspending the rule which forbids the sending of new bills from one house to the other on the three last days of the session, until 10 o'clock this evening; which resolution was agreed to.

The house then resumed the consideration of the Georgia claims' bill; and



Mr. Adams rose in opposition, and spoke until the hour of 2 o'clock, when the house took a recess until 4 o'clock.

**Evening session.** The Georgia claims' bill was again taken up, and Mr. Adams concluded his remarks. He was followed by Messrs. Cambreleng, Burges and Lincoln.

Mr. Barber moved the previous question, which being sustained, the bill passed, yeas 99, nays 60.

The light house bill, after being opposed by Mr. Polk, passed, yeas 119, nays 55.

Several bills, both of a public and private nature being disposed of,

The bill repealing certain provisions of the tariff law was laid upon the table.

The bill for the final adjustment of land claims in Florida and Arkansas, having been read,

Mr. Cave Johnson moved an amendment allowing certain claimants to produce the testimony in favor of their claims before the registers and receivers of the land offices, in their districts, to be by them reported to congress.

Messrs. Ellsworth and Vinton made inquiries respecting the lands and claimants, on whom the amendment was to operate, and it appearing that the lands were those which had been the subject of alleged notorious frauds, Mr. Vinton opposed the bill and moved to lay it on the table.

Messrs. Cave Johnson and Sewer acknowledged the frauds of the individuals named, but alleged the present holders had purchased the lands innocently. The amendment of Mr. Johnson was subsequently withdrawn, and the bill ordered to a third reading.

The bill authorizing the construction of rail roads and canals through lands belonging to the United States, was taken up, and after a warm debate, laid on the table, as being too loosely drawn.

The bill prohibiting the incorporations of Washington, Georgetown and Alexandria from issuing bank bills of a less denomination than 10 dollars, was taken up and ordered to a third reading.

The bill appropriating \$100,000 for the Alexandria canal was ordered to a third reading.

Several other bills connected with the local affairs of the District of Columbia and its internal improvements;

The bill to carry into effect the convention between the U. States and Spain;

The bill relative to the Washington papers;

The bill to purchase frames for a frigate and schooner;

The bill authorizing transfers of naval appropriations; and

The bill for rebuilding the frigate Congress; and

The bill for the improvement of the Hudson river, were severally ordered to a third reading.

At half past 10 o'clock, the house adjourned.

**Saturday, June 28.** Mr. B. M. Johnson asked the consent of the house to permit him to offer a resolution embracing a vote of thanks, for his services, to the late speaker of the house of representatives.

Several members objected.

Mr. Crockett said: I go against the resolution altogether, and I am ready to state why I do so. I am not inclined to adopt a vote of thanks to any man, without knowing what for, or being satisfied they are deserved.

Mr. R. M. Johnson moved that the house suspend the rule to enable him to present the resolution.

Mr. Burges called for the yeas and nays, which were ordered and appeared as follows: yeas 87, nays 51. There not being two thirds the rule was not suspended.

Several bills were read a third time, passed and sent to the senate for concurrence.

The bill granting 70,000 for the improvement of the Hudson river was passed, yeas 95, nays 62, and sent to the senate for concurrence.

The amendments of the senate to the harbor bill were taken up.

Mr. Polk moved that the house do non-concur in the amendment increasing the appropriation for the removal of the "raft or obstructions in the Red river, from 30,000 to 50,000 dollars; which motion was negatived.

The amendments were all agreed to and reported to the house.

On motion of Mr. Heath, the house suspended the rule and took up the bill making appropriations for the erection of a marine hospital at Baltimore, which was amended and passed to a third reading.

The bill extending the time, of issuing military land warrants was read and ordered to a third reading.

The house extended the time of sending new bills from one house to another so as to include several bills which had just been passed; and then the house took a recess till 4 o'clock.

**Evening session.** The Baltimore rail road bill was laid on the table by a vote of 107 to 50.

The senate, after having indefinitely postponed the light house bill, sent for it back to receive the further action of that body.

The amendments from the senate to the fortification bill were concurred in.

The rest of the sitting was chiefly occupied with private bills from the senate.

In the course of the night, Mr. Speight moved a resolution presenting the thanks of the house to Andrew Stevenson, late speaker, which was adopted, 97 to 49.

The house then adjourned to meet at 9 o'clock on Monday morning, having been in session until nearly 2 o'clock on Sunday morning, notwithstanding the objections of Mr. John Q. Adams and others.

**Monday, June 30.** The bill from the senate granting a township of land to two hundred and thirty-five emigrant Poles, having been amended by the house, was returned by the senate with their non-concurrence in the amendment, and coming up for consideration, after a warm debate, the house insisted upon its amendment (requiring the minimum price for the land) to the bill—yeas 82, nays 68.

The bill making an appropriation for the construction of the Potomac bridge, &c. having been returned from the senate, with some amendments,

On motion of Mr. Mercer, the house disagreed to a part of the senate's amendment, and further amendments took place. [A conference and compromise afterwards took place.]

The following gentlemen were announced to compose the committee to sit in the recess to investigate the affairs of the post office: Messrs. Connor, Polk, Hittlescy, Horace Everett, Beardsley, Watmough and Hawes.

Mr. Polk was excused, at his request, and Mr. Stoddert appointed in his place.

The bill remitting the duties on bills presented to the Roman Catholic church at St. Louis, Missouri, was passed 66 to 58.

The house receded from its disagreement to the senate's amendment to the bill to regulate intercourse with the Indians.

On motion of Mr. Sutherland, the house concurred in the senate's amendment to the light house bill.

The resolution making an additional allowance of \$100 to the chaplain was agreed to.

Mr. Heister moved a resolution requiring the clerk of the house to compile and report tabular statements in detail on the subject of canals and rail roads; which was rejected.

The house being without a quorum, a call was ordered, and after 88 members had answered, and others appearing, the call was suspended.

The senate's amendment to the bill to pay for property lost and destroyed in the late war on the frontiers, was agreed to.

The house disagreed to the senate's amendments to the bill to complete the repairs of Pennsylvania avenue.

After transacting some minor business, the usual message was sent to the senate and president, informing them that the house was ready to adjourn, &c. and the house adjourned until the regular time of meeting in December next.

#### SILVER COIN LAW.

An act regulating the value of certain foreign silver coins within the United States.

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money, within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar, that is to say, the dollars of Mexico, Peru, Chili and Central America, of not less weight than four hundred and fifteen grains each, and those restamped in Brazil of the like weight, of not less fineness than ten ounces fifteen pennyweights of pure silver, in the troy pound of twelve ounces of standard silver; and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy weight of standard silver, and weighing not less than three hundred and eighty-four grains each, at the rate of ninety-three cents each.*

*Sec. 2. And be it further enacted, That it shall be the duty of the secretary of the treasury to cause assays of the aforesaid silver coins, made current by this act, to be had at the mint of the United States at least once in every year and to make report of the result thereof to congress.*

*Approved, June 23th, 1834.*

#### LIST OF ACTS

PASSED AT THE FIRST SESSION OF THE TWENTY-THIRD CONGRESS, ENDING JUNE 30, 1834.

*From the National Intelligencer of July 1.*

An act granting pensions to certain persons therein named. Further to extend the term of certain pensions chargeable on the privateer pension fund.

Supplementally to an act, entitled "an act for the relief of Garrigue Flaujac, of Louisiana."

Making appropriations, in part, for the support of government for the year 1834.

Granting pensions to certain persons therein named. Making certain allowances, and granting certain arrearsages to the captains and subalterns of the U. S. corps of marines.

To grant to the state of Ohio certain lands for the support of schools, in the Connecticut Western Reserve.

Making appropriations for the Indian department for the year one thousand eight hundred and thirty-four.

Making appropriations for the naval service, for the year one thousand eight hundred and thirty-four.

Granting pensions to certain persons therein named.

Authorizing the secretary of war to establish a pension agency in the town of Decatur, in the state of Alabama, and to provide for paying certain pensions in said town of Decatur.

In reference to pre-emption rights in the south-eastern district of Louisiana.

Granting the right of pre-emption to John Yantes.

Making appropriations for Indian annuities, and other similar objects, for the year 1834.

Making appropriations for the revolutionary pensioners of the United States, for the year 1834.

Concerning the gold coins of the United States, and for other purposes.

Confirming the title of Samuel Vail in a certain tract of land, in the parish of East Baton Rouge, Louisiana.

Making appropriations for the military academy of the United States, for the year 1834.

Making appropriations for the support of the army, for the year 1834.

Regulating the value of certain silver coins within the United States.

Making additional appropriations for certain harbors, and removing obstructions in the mouths of certain rivers, for the year 1834.

Making appropriations for the civil and diplomatic expenses of government, for the year 1834.

To establish an additional land office in Arkansas.

Regulating the value of certain foreign gold coins within the United States.

To authorise the issuing a register to the brig American, of Savannah.

To extend the time allowed for the discharge of the duties of the commission, for carrying into effect the convention with France.

To change the boundary between the south-eastern and western land districts in the territory of Michigan, and for other purposes.

To revive and amend "an act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act, in addition thereto, passed on the fourteenth of July, 1832.

Supplementary to the act entitled "an act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, 1832.

To enable the secretary of state to purchase the papers and books of general Washington.

To authorise the removal of the custom house from Magnolia to St. Marks, in Florida.

To equalise representation in the territory of Florida, and for other purposes.

For the reappropriation of an unexpended balance of a former appropriation for the payment of the Georgia militia claims, for the years one thousand seven hundred and ninety-two, and one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four.

Giving the consent of congress to an agreement or compact entered into between the state of New York and the state of New Jersey, respecting the territorial limits and jurisdiction of said states.

Making additional appropriations for the armory at Harper's Ferry, for the year 1834.

To amend an act passed on the twenty-ninth day of May, 1830, entitled "an act for the relief of the owners of sundry vessels sunk for the defence of Baltimore."

Making appropriations to carry into effect certain Indian treaties and for other purposes.

To attach the territory of the United States, west of the Mississippi river and north of the state of Missouri, to the territory of Michigan.

To provide for the organization of the department of Indian affairs.

Making appropriations for certain fortifications of the United States for the year 1834.

Making appropriations for the public buildings and grounds, and for other purposes.

For the better organization of the United States marine corps.

To increase and regulate the pay of the surgeons and assistant surgeons of the army.

To procure a bust in marble, of the late chief justice Ellsworth.

For the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas.

Concerning the duties on lead.

Authorising the selection of certain Wabash and Erie canal lands in the state of Ohio.

For the repairs of Mar's Hill military road, in the state of Maine.

To establish a port of entry at Natchez, in Mississippi, and creating certain ports of delivery, and for other purposes.

Concerning naval pensions and the navy pension fund.

Authorizing the president of the United States to cause certain roads to be opened in Arkansas.

Confirming to Gilbert Hodges, his heirs, or legal representatives, certain lands in the state of Missouri.

To amend an act entitled "an act for the relief of William Burris, of Mississippi," approved February 19, 1831.

To suspend the operation of certain provisions of an "act to alter and amend the several acts imposing duties on imports," approved 14th July, 1832.

To aid in the construction of certain roads in the territory of Michigan.

To enable the president to make an arrangement with the government of France, in relation to certain French seamen killed or wounded at Toulon, and their families.

To authorise the correction of erroneous selections of land granted to the state of Indiana, for the purpose of constructing the Michigan road.

Limiting the time of advertising the sales of the public lands.

To create two additional land districts in the state of Illinois, and two new land districts north of said state, in the territory now attached to Michigan, which lies between Lake Michigan and the Mississippi river.

Confirming certain land claims in the district of St. Stephen's, in Alabama.

For the continuation and repair of the Cumberland road.

To revive the act entitled "an act to grant pre-emption rights to settlers on the public lands," approved May 29, 1830.

To authorise the secretary of the treasury to compromise the claims of the United States against the late firm of Minturn & Champlain and their securities.

To continue further in force "an act to authorise the extension, construction and use of a lateral branch of the Baltimore and Ohio rail road into and within the District of Columbia."

To authorise Gazaway B. Larmar to import an iron steamboat, in detached parts, with the necessary machinery, tools and working utensils therefor, into the United States, free from duty, and to provide for the re-issuance of the same.

To change the times for commencing the sessions of the courts of the United States in the district of Delaware.

Granting to general Philemon Thomas, of Louisiana, a tract of land in consideration of the military services rendered by him in taking possession of that portion of West Florida included in the district of Baton Rouge.

An act in addition to the "act more effectually to provide for the punishment of certain crimes against the United States and for other purposes," approved March 3d, 1825.

To remunerate Stephen C. Phillips for the support and transportation of shipwrecked American seamen.

For changing the term of the district court for the western district of Louisiana.

To amend an act entitled "an act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sackett's Harbor, a port of delivery; and out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Tecle, and for other purposes."

Authorising the governors of the several states to transmit by mail certain books and documents.

To confirm the selection and survey of two sections of land to Francis Lafontaine & Son, and their assignees.

Authorising a sum of money to be distributed among the officers and crew of the late private armed brig General Armstrong.

Granting a township of land to certain exiled Poles from Poland.

Authorising the payment of bounty on certain fishing vessels lost at sea.

To regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

Making appropriations for building light houses, light boats, beacons and monuments, for the year 1834.

Making appropriation for the improvement of the navigation of the Hudson river, in the state of New York.

Granting pensions to several persons therein named.

To refund the extra tonnage duty on brig Liberator.

To refund to certain owners of the schooner Joseph and Mary the sum paid into the treasury by reason of the condemnation of said vessel.

To authorise the sale of lots in the town of Saint Marks, in Florida.

To carry into effect the 14th article of the treaty of the 8th of January, 1821, with the Creek nation of Indians, so far as relates to the claims of the citizens of Georgia against said Indians, prior to 1822.

To renew the patent of Thomas Blanchard.

Authorising Edmund Brooke to remove to the District of Columbia two slaves owned by him prior to his removal from Virginia.

Repealing certain acts of the legislative council of the territory of Florida.

Authorising a road to be cut out from the northern boundary of the territory of Florida, by Marianna, to the town of Apalachicola, within the said territory.

To mark and open a road from Columbia to Little Rock, in the territory of Arkansas.

To provide for rebuilding the frigate Congress.

Authorising the secretary of the navy to make experiments for the safety of the steam engine.

Authorising the purchase of live oak frames for a frigate and sloop of war, and for other purposes.

To authorise the president of the United States to direct transfers of appropriations in the naval service, under certain circumstances.

Authorising the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto.

Increasing the salaries of the judges of the United States for the territories of Michigan, Arkansas and Florida.

To authorise an extra session of the legislative council of the territory of Michigan.

To prohibit the corporations of Washington, Georgetown and Alexandria, in the District of Columbia, from issuing promissory notes or bills of any denomination less than ten dollars, after the period therein mentioned, and for the gradual withdrawal from circulation of all such notes and bills.

Supplementary to the act to amend the several acts respecting copy-rights.

For establishing the northern boundary line of the country purchased of the Chickasaws by the treaty of 1822.

Making compensation for certain diplomatic services, and for other purposes.

To relinquish the reversionary interest of the United States in a certain Indian reservation lying between the rivers Mississippi and Desmoines.

To authorise the heirs and legal representatives of James Latham, deceased, to withdraw and relocate a land warrant.

To provide for the payment of claims for property destroyed by the enemy while in the military service of the United States during the late war with the Indians on the frontiers of Illinois and Michigan territory.

To complete the improvements of Pennsylvania avenue.

Concerning tonnage duty on Spanish vessels.

#### RELIEF ACTS.

For the relief of Samuel Thompson; of George Chinn; of Benjamin Sherfy; of the heirs of widow Robert Avast; of Thomas Richardson; of William S. Anderson; of George H. Jennings; of James H. Brewer; of John Webber; of the legal representatives of James Morrison, deceased; of John Thompson; of Richard Bagnall, executor of James B. Vaughan; of Whitford Gill; of Peregrine Gardner; of Edward Willet; of Judah Lincoln, administrator of Samuel Burr Lincoln, deceased; of John H. Maguire; of Russell Hunt, David Hunt and Amos Hunt; of Philip Hickey; of John Blunt; of Daniel Hazletton and William Palmer; of Francis Barnes; of Joseph M. Harper; of Martha Bailey and others; of Alexander Boyd, deceased; of the owners of the schooner Three Sisters, of Saybrook; of Philip Besson; of the widow and children of George Ludlum, deceased; of Coleman Fisher; of Lucy Loomis; of the heirs of Arnold Henry Dohmann; of Elijah Lincoln; of the legal representatives of Walter Livingston, deceased; of Joel Eyrington; of the heirs at law of Richard Livingston, a Canadian refugee, deceased; of Joel Wilkinson; of the legal representatives of Joseph Rowe, deceased; of Horatio N. Crabbe; of John G. Reynolds; of John Percival, master commandant in the U. S. States navy; of John L. Lobdell; of Thomas Ap. C. Jones; of the heirs and legal representatives of Frances Barham, deceased, and her husband, Fielding Barham; of Aaron Bellany; of Luther L. Smith; of Pearson Freeman; of Joseph Guedry and others; of Asler Morgan and others; of Richard Nance; of Baptiste Jeanssonne and Joseph Pierre Petre; of George Elliott; of John Winslett; of John S. Flemming, administrator de bonis non of John Syne, deceased; of the legal representatives of Christian Ish, deceased; of Robert Reynolds; of the heirs or legal representatives of doctor John Perrien, deceased; of sundry citizens of the United States who have lost property by the depredations of certain Indian tribes; of Frederick Raymer; of Antoine Cruzat; of Terence Le Blanc; of William Weedon; of Jeremiah Worsham; of Joseph Clift; of the legal representatives of John Thompson, jr. late of Louisiana; of Marguerite Baran, widow of Jean Pierre Ledoux; of George K. Jackson; of Henry Oakes; of Francis Suzone; of Henry Sewall and Robert Sewall; of John C. Naylor; of Benjamin Jacobs; of Samuel Bayard, surviving executor of John Bayard, deceased, and of the executors of Joseph Falcouer, deceased; of William Enos, of Arkansas; of Judith Thomas and Daniel Palmer; of George Bowen; of William K. Paulding; of William Hasset; of Samuel D. Walker; of Alexander J. Robinson; of the heirs at law of the representatives of William G. Christopher, deceased; of William B. Doliber and others, owner and heirs of the crew of the schooner Mary and Hannah; of the legal representatives of James Brown; of Henry Whitney; of Jonathan Walton and John J. De Graff; of Stephen King-tout of Asha Hatfield, his assignee, or legal representative; of John Allen; of certain inhabitants of East Florida; of Thomas Minor; of Margaret Riker; of Wolcott Channey; of the legal representatives of James P. Hainesworth, deceased; of Hannah Stone; of John Elie Thozan and William Russell; of the city of Washington; of the town of Fayetteville, in the territory of Arkansas; of Charles Burkham and others, employed as spies, on the frontier of Arkansas, in 1830; of Noah Staley; of George Staley; of John Kimberlin; of Haggerty and David Austin, of New York; of John Hone & Sons, of New York; of Pelg Spencer; of John Hurtle; of the widow and heirs of Felix St. Vrain; of James Ord; of James Fife, a Creek Indian; of John Chandler and William Johnson; of the representatives of Hugh McGeniss, deceased; of John Peck; of the widow and heirs of capt. Wm. Royall, deceased; of James Noble; of the legal representatives of Philip Moore, deceased; of the legal representatives of Thomas Nash; of col. A. B. Woolley; of Moses Archer; of Jonathan M. Blaisdell; of William D. Acken; of Hlishe Homa, otherwise called capt. Red Pepper, an Indian of the Choctaw tribe; of William A. Duer; of John Dner and Beverly Robinson, trustees of the estate of Sarah Alexander, deceased; of Aaron Fitzgerald; of the administrators of Bolitha Laws, deceased; of Charles J. Hand; of the heirs and legal representatives of John Rose, sen. deceased; of John Kirkpatrick; of the legal repre-

sentatives of Lawrence Milligan, deceased; of the sureties of John H. Morton; of the legal representatives of Thomas H. Bogles, deceased; of Peter Mills; of Andrew Armstrong; of Wm. Mann; of John A. Webster, and for the legal representatives of John Coleman; of the widow of Clement B. Penrose and Wm. C. Waddell; of John Shackford; of the Roman Catholic church at St. Louis, Missouri; of James Bell, deceased; of a part of the crew of the brig Sarah George; of Ephraim Whitaker; of lieutenant Robert Willmott; of Ann Mortimer Barron; of the legal representatives of Buller Claiborne, deceased; of the legal representatives of Everard Meade, deceased; of the legal representatives of captain James Crain; of John Emerson; of the heirs of Thomas Wallace, deceased; of the legal representatives of Enos Grannis, deceased; of the heirs and legal representatives of William Teas, deceased; of the legal representatives of John Taylor, deceased; of John Bruce; of the legal representatives of John M. Gregory; of the owners of the schooner Admiral; of John Wilson; of Ezekiel Foster and company, of Eastport, state of Maine; of Benedict Alford and Robert Brush; of Atwater and Dagget, and others, owners of the brig Hannah; of Francis and Judith Taylor; of George Gordon, assignee and representative of the heirs of Matthew Ramey, deceased; of Amos W. Brown; of Samuel A. Edmondson; of the legal representatives of Leonard Holly, deceased; of James Marsh; of Samuel Armstrong Bailey; of George Reed.

#### RESOLUTIONS.

Resolution directing certain books to be procured and furnished members of the 23d congress.

Giving the right of way through the property of the United States at Harper's Ferry, to the Winchester and Potomac rail road company.

For distributing returns of the last census.

Fixing a day for the adjournment of congress.

Joint resolution manifesting the sensibility of the two houses of congress and of the nation, on the occasion of the decease of general Lafayette.

[The above list is supposed to be COMPLETE, with the exception of a very few private acts. Every public act is believed to be enumerated.]

#### YEAS AND NAYS

##### IN THE HOUSE OF REPRESENTATIVES.

##### On the deposit bill.

The following were the yeas and nays in the house of representatives, on the 24th June, on the passage of the bill for regulating deposits of the public money in the local banks:

YEAS—Messrs. John Adams, Wm. Allen, Anthony, Beale, Bean, Beardley, Beaumont, Blair, Bockee, Bodle, Boon, Bouldin, Brown, Bunch, Burns, Bynum, Cambreleng, Carnichael, Carr, Casey, Chaney, Clinton, S. Clark, Clay, Coffee, Connor, Cramer, Day, Deming, Dickerson, Dickinson, Dunlap, Forrester, Fowler, Wm. K. Fuller, Galbraith, Gholson, Gilmer, Joseph Hall, Halsey, Hannegan, Joseph M. Harper, Harrison, Hathaway, Hawkins, Hawes, Howell, Hubbard, Abel Huntington, Inge, Jarvis, R. M. Johnson, N. Johnson, Cave Johnson, Seaborn Jones, Benj. Jones, Kavanagh, Kinnard, Lane, Lansing, Laporte, Luke Lea, Leavitt, Thos. Lee, Lyon, Lytle, A. Mann, Joel K. Mann, J. Y. Mason, Moses Mason, McIntire, McKay, McKim, McKinley, McLeane, McVean, Miller, Robert Mitchell, Muhlenberg, Murphy, Osgood, Page, Parks, Parker, Patton, Patterson, Dutee J. Pearce, F. Pierce, Pierson, Plummer, Polk, Pope, Schenck, Schley, Augustus H. Shepperd, Shinn, Smith, Speight, Standifer, Stoddert, Sutherland, Wm. Taylor, Francis Thomas, Thomson, Turill, Tweedy, Vanderpoel, Van Houten, Wagener, Ward, Wardwell, Webster, Whalon, C. P. White—112.

NAYS—Messrs. J. Q. Adams, Heman Allen, John J. Allen, Archer, Ashley, Barber, Barnitz, Barringer, Baylies, Beaty, Binney, Bull, Burd, Cage, Campbell, Chambers, Chilton, Wm. Clark, Clayton, Corwin, Coulter, Darlington, Davenport, Deberry, Denny, Dickson, Duncan, Ellsworth, Evans, Edward Everett, H. Everett, Ewing, Felder, Fillmore, Foster, Philo C. Fuller, Fulton, Gamble, Garland, Gorham, Graham, Grennell, Griffin, Hiland Hall, Hamer, Hardin, James Harper, Hazeltine, Heath, Heister, Jabez W. Huntington, Jarvis, Jackson, Wm. Cost Johnson, Lay, Lewis, Lincoln, Love, Martindale, Marshall, McComas, McKennan, Mercer, Milligan, Moore, Puckney, Potts, Ramsay, Reed, Reucher, Selden, Wm. B. Shepard, Wm. Slade, Charles Slade, Sloane, Spangler, Steele, Stewart, Philomont Thomas, Tompkins, Turner, Vinton, Watmough, E. D. White, F. Whittlesey, Elisha Whittlesey, Wilde, Williams, Wilson, Wise, Young—90.

##### On the West Point appropriation bill.

YEAS—Messrs. John Q. Adams, John Adams, Heman Allen, William Allen, Anthony, Archer, Ashley, Barber, Barnitz, Baylies, Bean, Beardley, Binney, Boeckee, Bodle, Brown, Bull, Burd, Burges, Cage, Cambreleng, Chambers, Chinn, S. Clark, William Clark, Cramer, Darlington, Day, Deberry, Denny, Dickerson, Evans, Edward Everett, Horace Everett, Ewing, Fillmore, Philo C. Fuller, William K. Fuller, Galbraith, Garland, Gillet, Grennell, Hiland Hall, Halsey, Hannegan, Hardin, Joseph M. Harper, Hathaway, Hazeltine, Henderson, Heister, Howell, Jabez W. Huntington, Abel Huntington, Jackson, Jarvis, W. C. Johnson, Richard M. Johnson, Noahiah Johnson, King, Kinnard, Lansing, Laporte, Lay, Leavitt, Lincoln, Lytle, Abijah Mann, Martindale, McCarty, McIntire, McKay, McKennan, McKim, McKinley, McVean, Mercer, Miller, Milligan,

Moore, Muhlenberg, Osgood, Page, Parker, Patton, Pearce, Pierson, Potts, Ramsay, Reed, Selden, Shepard, Shinn, Sloane, Steele, Stewart, Stoddert, Sutherland, William Taylor, Francis Thomas, Philemon Thomas, Thomson, Tompkins, Turritt, Tweedy, Vanderpool, Van Houten, Vinton, Wagener, Ward, Wardwell, Watnough, Campbell P. White, Edward D. White, Elisha Whittlesey, Wilde, Wise, Young—117.

NAYS—Messrs. John J. Allen, Barringer, Beale, Beaumont, Blair, Bown, Bouldin, Bunch, Bynum, Carr, Casey, Chaney, Clay, Clowney, Connor, Crockett, Dickinson, Duncan, Dunlap, Felder, Forrester, Foster, Fowler, Fulton, Gholson, Gilmer, Gordon, Grayson, Griffin, Joseph Hall, Hawkins, Hawes, Cave Johnson, Seaborn Jones, Benjamin Jones, Kavanagh, Lea, Lewis, Joel K. Mann, John Y. Mason, Moses Mason, McLene, Robert Mitchell, Pinckney, Plummer, Polk, Renchler, Schley, Charles Slade, Smith, Standifer, William P. Taylor, Webster, Frederick Whittlesey, Williams—55.

*On the passage of the bill for additional light houses, &c.*

YEAS—Messrs. John Quincy Adams, John Adams, Heman Allen, William Allen, Archer, Ashley, Barber, Baylies, Beardsley, Binney, Bodle, Bown, Brown, Bull, Cage, Cambreleng, Casey, Chambers, Chaney, Chinn, Samuel Clark, Cramer, Crockett, Darlington, Deiny, Duncan, Dunlap, Ellsworth, Evans, E. Everett, Horace Everett, Ewing, Fillmore, W. K. Fuller, Galbraith, Garland, Gillet, Grennell, Jos. Hall, Hiland Hall, Halsey, Hannegan, Jos. M. Harper, James Harper, Hazeltine, Heath, Henderson, Howell, Jabez W. Huntington, Abel Huntington, Jackson, Kavanagh, Kinnard, Lane, Lansing, Lay, Thomas Lee, Lincoln, Lytle, Martindale, Moses Mason, McKennan, McKim, McVean, Mercer, Milligan, Robert Mitchell, Moore, Muhlenberg, Osgood, Parks, Parker, Patton, Dutee J. Pearce, Pierson, Plummer, Potts, Reed, Selden, Wm. B. Shepard, Shinn, Sloane, Smith, Steele, Stewart, Stoddert, Sutherland, William Taylor, Francis Thomas, Philemon Thomas, Thomson, Tweedy, Vanderpool, Van Houten, Vinton, Ward, Wardwell, Watnough, Webster, Campbell P. White, Ed. D. White, Frederick Whittlesey, Elisha Whittlesey, Wilde, Wise, Young—106.

NAYS—Messrs. John J. Allen, Beale, Bean, Blair, Bockee, J. W. Bouldin, Bunch, Bynum, Clay, Coffee, Connor, Day, Deberry, P. Dickinson, D. W. Dickinson, Philo C. Fuller, Fulton, Gholson, Gilmer, Gordon, Graham, Grayson, Griffin, Hardin, Hathaway, Hawkins, Hawes, Inge, Jarvis, N. Johnson, C. Johnson, Seaborn Jones, King, Laporte, Luke Lea, Abijah Mann, J. K. Mann, John Y. Mason, McCarty, McComas, McDuffie, McIntire, McKay, McKinley, McLene, Miller, Murphy, Page, Pierce, Pinckney, Polk, Ramsay, Schley, Aug. H. Shepperd, Charles Slade, Wm. P. Taylor, Wagener, Williams, Wilson—59.

*On the passage of the bill for the relief of the city of Washington.*

YEAS—Messrs. John Q. Adams, John Adams, Heman Allen, Anthony, Ashley, Barber, Barnitz, Barringer, Baylies, Beale, Binney, Bouldin, Burd, Burns, Cage, Chambers, Chinn, Wm. Clark, Corwin, Coulter, Cramer, Crockett, Darlington, Day, Denny, Dickinson, Duncan, Dunlap, Evans, Edward Everett, Horace Everett, Ewing, Fillmore, Gholson, Gorham, Grennell, Hiland Hall, Hannegan, J. M. Harper, Harriston, Hathaway, Hazeltine, Henderson, Heister, Howell, Abel Huntington, Jackson, W. C. Johnson, Richard M. Johnson, Kavanagh, King, Kinnard, Lane, Lansing, Laporte, T. Lee, Lincoln, Love, Lytle, Martindale, McCarty, McKennan, McKim, McVean, Mercer, Miller, Milligan, Muhlenberg, Osgood, Patterson, Dutee J. Pearce, Potts, Reed, Schenck, Selden, W. B. Shepard, Shinn, Sloane, Steele, Stewart, Stoddert, Sutherland, Wm. Taylor, Francis Thomas, P. Thomas, Turritt, Tweedy, Vanderpool, Ward, Wardwell, Watnough, Webster, Frederick Whittlesey, Elisha Whittlesey, Wilde, Wilson, Young—97.

NAYS—Messrs. Wm. Allen, Archer, Beale, Bean, Beardsley, Beaumont, Blair, Bockee, Brown, Bunch, Bynum, Cambreleng, Carmichael, Carr, Casey, Chaney, S. Clark, Clay, Clayton, Clowney, Coffee, Connor, Dickinson, Ellsworth, Felder, Forrester, Foster, Fowler, P. C. Fuller, W. K. Fuller, Gillet, Gilmer, Gordon, Graham, Grayson, Joseph Hall, Halsey, Hamer, Hardin, James Harper, Hawkins, Hawes, Jabez W. Huntington, Inge, Jarvis, N. Johnson, Cave Johnson, S. Jones, Luke Lea, Leavitt, Abijah Mann, J. K. Mann, Moses Mason, John Y. Mason, McComas, McDuffie, McIntire, McKay, McKinley, McLene, Robert Mitchell, Moore, Page, Parks, Parker, Patton, Pierson, Pinckney, Plummer, Polk, Ramsay, Renchler, Schley, Smith, Standifer, Wm. P. Taylor, Thompson, Vinton, Wagener, C. P. White, Williams, Wise—78.

LEGISLATURE OF CONNECTICUT.

*Extract from gov. Foot's message of May 9, 1834.*

In a time of unexampled prosperity, when labor of every kind received a liberal and just reward; when active industry and enterprise, which constitute the wealth of every nation, promised a rich harvest to individuals and to the country; a sudden and unexpected blow has been given to our prosperity, which has paralyzed every exertion, and produced universal and deep distress and alarm!

A deranged currency deranges every institution in the country, connected with property and productive labor. The power and duty of congress, to regulate the currency of the country, under the provisions of the constitution, has never been questioned: and yet the power to incorporate a bank to effect this

object, is doubted by some, notwithstanding judicial decisions, and long acquiescence in its exercise. Whether the provisions of the constitution, which gives to congress the power "to make all laws necessary and proper for carrying into effect the powers specially delegated?" authorises the incorporation of a bank, as "necessary and proper," to regulate the currency, is not for us to decide; its present deranged condition will probably hasten a decision of this question by the competent authority.

If this power is not in congress, where is it? The constitution expressly forbids the states to "coin money," or "emit bills of credit." And notwithstanding this prohibition, the states have incorporated banks, to an alarming extent; and the good sense of the people must decide whether a U. S. bank is not indispensable as a fiscal agent for the government, as well as for their own interests, to guard against the evils of an unsound paper currency.

The incorporation of the present bank, under the peculiar circumstances of the country at that period; sanctioned and approved by those who had before doubted its constitutionality; was believed to have settled the question of constitutional power, and established the permanent policy of the system by common consent. The commerce and manufacture of the country, have been regulated, and accommodated to it. The deep and general distress and destruction of confidence, is the natural and necessary result of the reckless attempt of this policy; and by the "removal of the public deposits," to shake public confidence in its utility and solvency, at an incalculable loss to the country.

The assumption of power in this act of the executive, without the consent or action of congress, presents a grave question for the decision of the people, by the faithful exercise of the right of suffrage.

The idea, that a commercial country of such vast extent, and great resources as our own, should ever return to a metallic medium, after the long and extensive use of a paper currency, is too absurd and preposterous to require refutation. The necessity of transmitting the vast sums of money required in our ordinary commercial transactions, through this extensive and flourishing country; and the collection and disbursement of the revenue in the whole extent of the union, must shew the impracticability of such a visionary project.

A sound paper currency, founded on the precious metals as a basis, and always redeemable in specie on demand; limited in its circulation to the wants of the community, will be found most convenient and will regulate itself.

The great error, and danger, in our banking system, has arisen from the issue of small notes. If the banks in the several states had been restricted to the issue of notes of a denomination above ten or even five dollars, the banking system would have been confined almost exclusively to its legitimate and proper object, the commercial and financial interests of the country—the precious metals would have formed the general currency of the country, in the ordinary pursuits of life; and secured the paper currency from the sudden fluctuations which have been too often experienced.

One of the greatest evils arising from this attack upon the bank, and the entire system, will probably be, the incorporation of numerous state banks, with large nominal capitals, ostensibly to supply the amount to be withdrawn by the United States bank, and to take the place of the notes of the present bank, without any increase of specie for their redemption; the number already incorporated since the removal of the deposits, and the openly avowed hostility to the bank, are truly alarming. A sound and uniform currency is not to be established by increasing the number, or capitals of state banks.

I have considered it my duty to give to our constituents these general views of the condition of our country, on resigning the important and highly responsible trust and station, from which the late election has called me to the chief magistracy of my native state.

On the 29th ult. the report of the committee of the house of representatives, (to whom this part of the message had been referred), was taken, and the following resolutions passed, after debate—

*Be it resolved by the senate and house of representatives of the state of Connecticut in general assembly convened,* That the president of the United States, in removing the public deposits, has endeavored to prevent the congress of the United States from discharging its appropriate functions in relation to the custody and disposition of the moneys of the nation,—has exercised a power not conferred upon him by law—and has violated the chartered rights of the bank of the United States—in the subversion of the national faith, and in derogation of the constitution and laws of the United States.

*Resolved,* That the senate of the United States, in disapproving by its resolutions of the removal of the deposits, has given additional evidence of being worthy of its exalted character as the faithful representative of the states, and the watchful guardian of the rights and liberties of the people.

*Resolved,* That this assembly entirely disapproves of the design and attempt of the president of the United States, as evinced by the transmission and contents of his protest, to superintend and direct the senate of the United States—a co-ordinate department, and which, in an especial manner, represents the interests of the several states—and to control and restrain its constitutional action—and this assembly entirely approves of

the proceedings of the senate in relation to the protest of the president.

*Resolved*, That the president of the United States, by his unprecedented exercise of the power of the veto; by the control he has assumed and exerted over the subordinate officers of the United States; by his mode of dispensing the patronage of the government; by his repeatedly frustrating, under various pretences, the exercise by the senate of the United States, of its constitutional power of advice and consent in appointments to office, and by his claim of the right to control and remove the public property and treasure at his discretion, and to construe the constitution and laws of the United States, according to his own opinion, without regard to that of congress, the judiciary, or the nation—has infringed the fundamental principles of our government, and furnished irresistible proof that our free institutions are in peril.

*Resolved*, That the thanks of this assembly be presented to the senators and representatives from this state, in the congress of the United States for their firm and independent course at the present alarming crisis; and that they be requested to continue to use their utmost endeavors to restore the public deposits to the bank of the United States, and to maintain the supremacy of the constitution and laws of the United States.

*And whereas*, the banks of the United States, heretofore incorporated, have been found extensively advantageous for the custody and disposition of the public moneys, and have exerted an influence upon the currency of the country, highly salutary, in prevention of evils otherwise unavoidable: Therefore,

*Resolved*, That for the preservation of a sound currency; for the safe custody, expeditious transmission, and cheap disbursement of its moneys, the nation requires a national bank; and the question of the recharter of the present bank of the United States with suitable modifications, this assembly refers to the wisdom of congress.

On the preamble and first resolution, yeas 148, nays 45—maj. 103.

On the second resolution, yeas 148, nays 47—maj. 101.

On the third resolution, yeas 149, nays 44—maj. 104.

On the fourth resolution, yeas 144, nays 48—maj. 96.

On the fifth resolution, yeas 135, nays 48—maj. 87.

On the sixth resolution, yeas 147, nays 37—maj. 110.

On the seventh resolution, yeas 137, nays 35—maj. 102.

#### SOUTH CAROLINA.

*Executive department—Charleston 12th June 1834.*

The appeal court having decided that the 10th section of the act, passed at the last session of the legislature, "for military organization of the state," which provides, that all militia officers shall, within thirty days after their election, take an oath "that they will be faithful and true allegiance bear to the state of South Carolina," is unconstitutional, null and void, it becomes the duty of all officers entrusted with the execution of the law, to conform to that decision, until the constitution shall be amended, or the decision reversed. Under our system of government it is the province of the judiciary to expound the laws, and obedience to the constituted authorities has always been a distinguished trait in the character of the people of South Carolina. All officers of the militia, therefore, whose commissions may have been withheld in consequence of their neglect or refusal to take the oath of allegiance, prescribed by the above act, will, on application to the proper officers, be entitled to receive their commissions. The court has also decided that the oath prescribed by the act of the 19th December, 1794, (the only oath heretofore taken by militia officers in this state), is likewise unconstitutional, and that the only oath which said officers can be lawfully required to take, is that to be found in the 4th art. of the constitution, in the following words, viz:—"I do swear (or affirm) that I am duly qualified, according to the constitution of this state, to exercise the office in which I have been appointed, and will, to the best of my abilities, discharge the duties thereof, and preserve, protect and defend the constitution of this state, and of the United States."

All officers who have not heretofore taken this oath, whether they have received their commissions or not, will accordingly, take the said oath before some justice of the peace, or other officer authorized to administer oaths, and cause the same to be duly certified and endorsed on their commissions. Where vacancies exist, prompt measures will be taken by the proper officers, to cause the same to be filled up; and, as soon as the organization of the militia shall be completed under the late act, reports thereof will be made to the proper officers, and through them to the commander in chief.

The governor is well aware that he might have transferred to others, the responsibility of deciding on the course proper to be pursued on this occasion. Under the power conferred by the constitution upon the executive, the legislature might have been immediately convened, and the whole question submitted to their wisdom. This course he would have felt himself bound to pursue, if the decision of the judges had been regarded by him as leaving the state without officers, and without any military organization, exposed to all the dangers incident to our peculiar situation. But putting a different construction upon the decision, and believing that its only effect will be to prevent the enforcement of an oath of fidelity and allegiance to the state until such time as the same shall become part of the constitution by the final adoption of the amendment already agreed to by two-thirds of both branches of the legislature at their last session, and now awaiting the ratification of the ensuing legis-

lature to be chosen by the people in October next, the governor has deemed it more advisable to refer the great questions arising out of the decision of the appeal court to the next legislature, coming, as they will, fresh from the people, than to impose upon those whose office is about to expire the duty of revising their own acts, and deciding an existing controversy between the legislative and judicial departments of the government. It is deemed a decisive argument in favor of this course, that in submitting those important questions—involving, as they are supposed to do, the rights and duties of the citizen, the sovereignty of the state, and the relative powers of the legislature and judiciary—to THE PEOPLE, an appeal is made to the highest tribunal known to our system, the source of all power, whose decision (no longer delayed than may perhaps be necessary to secure an enlightened judgment, free from all undue excitement) will come with an IRRESISTIBLE WEIGHT AND AUTHORITY. Nor is it believed, that the example of moderation and respect for the laws and constituted authorities of the country thus afforded at a period of much excitement, and under circumstances of peculiar trial and difficulty, can be without a salutary influence on public opinion, both at home and abroad.

The governor and commander-in-chief, in presenting these views to his fellow citizens, confidently relies on their cordial co-operation in giving effect to the laws, and preserving the peace and good order of society.

ROBERT Y. HAYNE.

#### IN MEMORY OF LAFAYETTE.

ORDER, NO. 46.

*Head quarters of the army.*

*Adjutant general's office, Washington June 21st, 1834.*

The maj. general commanding the army, has received through the war department, the following "general orders" from the president of the United States:

#### GENERAL ORDERS.

*Washington, June 21, 1834.*

Information having been received of the death of general Lafayette, the president considers it due to his own feelings, as well as to the character and services of that lamented man, to announce the event to the army and navy.

Lafayette was a citizen of France, but he was the distinguished friend of the United States, in early life he embarked in that contest which secured freedom and independence to our country. His services and sacrifices constituted a part of our revolutionary history, and his memory will be second only to that of Washington in the hearts of the American people. In his own country, and in ours, he was the zealous and uniform friend and advocate of rational liberty. Consistent in his principles and conduct, he never, during a long life, committed an act, which exposed him to just accusation, or which will expose his memory to reproach. Living at a period of great excitement and of moral and political revolutions, engaged in many of the important events which fixed the attention of the world, and invited to guide the destinies of France at two of the most momentous eras of her history, his political integrity and personal disinterestedness have not been called in question. Happy in such a life, he has been happy in his death. He has been taken from the theatre of action, with faculties unimpaired, with a reputation unquestioned, and an object of veneration wherever civilization and the rights of man have extended; and mourning as we may and must his departure, let us rejoice that this associate of Washington has gone, as we humbly hope, to rejoin his illustrious commander, in the fullness of days and of honor. He came in his youth to defend our country. He came in the maturity of his age to witness her growth in all the elements of prosperity. And while witnessing these, he received those testimonials of national gratitude, which proved how strong was his hold upon the affections of the American people.

One melancholy duty remains to be performed. The last major general of the revolutionary army has died. Himself a young and humble participant in the struggles of that period, the president feels called on as well by personal as public considerations, to direct that appropriate honors be paid to the memory of this distinguished patriot and soldier. He therefore orders that the same honors be rendered on this occasion at the different military and naval stations as were observed upon the decease of Washington, the father of his country, and his cotemporary in arms.

In ordering this homage to be paid to the memory of one so eminent in the field, so wise in council, so endeared in private life, and so well and favorably known to both hemispheres, the president feels assured, that he is anticipating the sentiments, not of the army and navy only, but of the whole American people.

ANDREW JACKSON.

In obedience to the commands of the president, the following funeral honors will be paid at the several stations of the army.

At day-break, twenty-four guns will be fired in quick succession, and one gun at the interval of every half hour thereafter till sunset.

The flags of the several stations will, during the day, be at half mast. The officers of the army will wear crape on their left arm for the period of six months.

This order will be carried into effect under the direction of the commanding officer of each post and station, the day after its receipt.

By command of maj. general Macomb, commanding in chief.  
R. JONES, *adjutant general.*

## CIRCULAR.

To the commander of each naval station.

Navy department, June 21st, 1834.

In conformity with the accompanying general order from the president of the United States, in honor to the memory of gen. LAFAYETTE, you will, on the day following the receipt of this, cause twenty-four guns to be fired in quick succession, at day-break, and one gun every half hour thereafter, till sunset; the flags of the several stations will be, during the day, at half mast high.

All officers of the navy and marine corps will wear crape on the left arm for six months. LEVI WOODBURY.

(Here follows the general order of the president given above.)

## CHESAPEAKE AND OHIO CANAL COMPANY.

The stockholders of the Chesapeake and Ohio canal company, in general meeting, on Friday last week, unanimously elected George C. Washington, esq. of Maryland, to be president of the company, and Richard H. Henderson, Pkineas Junney, Walter Smith, John I. Abert, William Guntton and George Bender, to be directors.

Previous to the election, the hon. Andrew Stewart, of Pennsylvania, was nominated for the office of president. Whereupon, the chairman presented to the meeting the following letter:

House of representatives, June 27, 1834.

SIR: In my note of the 16th instant, I stated that the only consideration that could induce me to accept the presidency of the Chesapeake and Ohio canal company, would be the passage of the bill, pending in congress, granting further aid to that work. As this seems now to be out of the question, I respectfully withdraw my name from the consideration of the stockholders as a candidate for that situation. With great respect, your obedient servant,

A. STEWART.

Wm. A. Bradley, esq. chairman of the meeting of stockholders. &c.

## MR. TANEY AND THE PRESIDENT.

Correspondence between the president of the United States and the hon. R. B. Taney, upon the subject of the resignation of his office as secretary of the treasury.

Washington, June 25, 1834.

SIR: The senate having yesterday refused to confirm my nomination, as secretary of the treasury, I beg leave to resign the commission with which you honored me, during the last recess. It would expire, by its own limitation, at the end of the present session of congress, which is now at hand. But after the appointment has been submitted to the senate, and acted on by them, it is due to you and to myself, that I should conform to their decision, and retire at once from the office.

I cannot, however, take my final leave of the official relations which have connected me with your administration, without returning my cordial thanks for the many and continued proofs of kindness and confidence, which I have received at your hands. I shall always bear them in grateful recollection, and am sir, with the highest respect, your obedient servant.

R. B. TANEY.

The president of the United States.

Washington, June 25, 1834.

DEAR SIR: Your resignation of the appointment of secretary of the treasury, conferred upon you in the recess of the senate, and now relinquished in consequence of the refusal of that body to confirm your nomination, has been received.

I cannot refrain from expressing on this occasion, my profound regret at the necessity of your retirement from that important office, nor can I suffer the opportunity to pass, without paying a just tribute to the patriotism, firmness and ability which you have uniformly exhibited since your introduction into my cabinet. Knowing that such a station was not desired by you, and was in opposition to your course of life, I could not but feel grateful to you, when, in compliance with my invitation, you exchanged the independence of your professional pursuits, for the labors and responsibilities of the office of attorney general of the United States. This sentiment was greatly and deservedly increased, during the last year, when becoming acquainted with the difficulties which surrounded me, and with my earnest desire to avail myself of your services in the treasury department, you generously abandoned the studies and avocations to which your life had been devoted, and encountered the responsibility of carrying into execution those great measures which the public interest and the will of the people alike demanded at our hands. For the prompt and disinterested aid, thus afforded me at the risk of personal sacrifices, which were then probable, and which have now been realised, I feel that I owe you a debt of gratitude and regard, which I have not the power to discharge. But, my dear sir, you have all along found support in a consciousness of right; and you already have a sure promise of reward in the approbation and applause which an intelligent and honest people always render to distinguished merit.

The plan of financial policy which you have initiated by your acts, and developed in your official reports, and which has thus far received the full approbation of the representatives of the people, will, ultimately, I trust, be carried into complete operation; and its beneficial effects on the currency of the country, and the best interests of society, will be in all future time, more than an adequate compensation for the momentary injustice to which you have now been subjected. And as it is the martyrs in any cause, whose memory is held most sacred; so

the victims in the great struggle to redeem our republic from the corrupting domination of a great moneyed power, will be remembered and honored, in proportion to their services and their sacrifices. I am, very respectfully and sincerely, your friend, your obedient servant,

ANDREW JACKSON.

Hon. R. B. Taney.

## FRAUD IN THE LAND OFFICE.

THE DEPOSITION OF EDMUND ROW.

Before the committee on the public lands, of the senate of the U. States, under a resolution of the senate relative to the public lands:

Question—Where do you reside, and what is your occupation?  
Answer—I reside in Orange county, Virginia, and am by occupation, a farmer.

Question—Have you ever attended any sale of the public lands; if so, state at what place, in what state, and at what time?

Answer—In 1833, from the 23d to the 29th of October, I attended at Choctawhatchee land office, in the state of Mississippi, the sale of the public lands which had been ceded by the Choctaw tribe of Indians to the United States.

Question—Were the surveys of the lands ceded by the Choctaw Indians completed by the surveyors of the United States, and returns made to the proper offices, prior to the date of the proclamation for the sale of these lands?

Answer—As to the surveys being completed and returns made, I know not. I saw one or two companies going out to survey the unsurveyed ceded lands; I also heard many of the citizens of the state, some of them actual settlers, complaining that the lands were put into market before more than half of them were surveyed.

Question—Had the people of that district sufficient information, prior to the day appointed in the proclamation for the commencement of the sales, to enable the actual settlers to make their arrangements for attending and purchasing?

Answer—I heard many men complain that they had not had sufficient time from the first notice they had of the proclamation till the day of sale, to make their arrangements for attending and purchasing; the first information too, obtained by some, was received from persons riding through the country to examine the lands within a very short time before the sale.

Question—Were not the sales attended by speculators from different parts of the country, so far as you know and believe?

Answer—I believe they were; there appeared to be speculators from Tennessee, Alabama and Louisiana, beside those, who resided in the state of Mississippi.

Question—Did the speculators you mention, from the states of Tennessee, Alabama, Louisiana and Mississippi, bid against each other, or did they combine for the purpose of deterring poor men, or men who only wished to purchase small tracts of land, from bidding for the lands on which they resided, or other lands which they might desire to purchase for actual settlement and cultivation, thereby taking into their own hands the control of the sales for their own benefit?

Answer—I arrived at Choctawhatchee, on the 23d of October, two days after the commencement of the sales, and on that day, there was a public address made to the people, by a gentleman who said that they, the companies of speculators, had united to shield the actual settlers from being imposed upon by individual speculators, and that his company was willing that any actual settler should buy one quarter section of land wherever he pleased, and as low as he could get it, if it were at the government price, or that his company would purchase it for him as low as they could get it, and let him have it for what they gave, provided, however, that said settler would sign a paper, obliging himself, not to bid for any other lands thus offered at that sale, of the public lands of the U. States. He suggested, however, that his company would, immediately after the sales of the U. States lands were closed, sell at public sale, any lands they might purchase, to the highest bidder, at which sale the settlers would have an opportunity of purchasing as much more land as they might want.

Question—Did these companies of speculators, purchase large quantities of the public lands? If so, at what price?

Answer—I believe, according to the best estimation I could make, they purchased three-fourths of what was sold, and most generally at government prices.

Question—Did these speculators, after the public sales were closed, offer the lands, so purchased by them at augmented prices, and did they make any sales to persons attending the government sales, at the prices put on them? If so, what price per acre did they receive?

Answer—I can make no answer to these inquiries, as I left the place before the government sales were closed.

Question—Did you attend the sale for the purpose of purchasing land with a view to actual settlement and cultivation? and if so, did you purchase at the public sale of the government, or did you purchase from the company of speculators?

Answer—I did attend the sale for the purpose of purchasing for actual settlement and cultivation, and purchased from, or rather through the agents or bidders of a company of speculators.

Question—Had you selected for purchase any particular tract of land?

Answer—I had.

Question—Why did you prefer purchasing from or through one of the agents of the company of speculators, to bidding for it yourself, at public sale?

*Answer*—I was a stranger in the country, and this being the first sale I had ever attended there, was entirely ignorant of the customs and proceedings at the sales of the public lands.

*Question*—What were the circumstances which induced you to purchase, through the agent of the company?

*Answer*—In bidding for the land which I had selected, before the sale, I found it run on me, and knocked off to myself and son, at between four and five dollars per acre; whereas, I observed that the company generally obtained their lands at \$1 25 per acre, and with but very few exceptions, no person bid against them, I was therefore induced to forfeit the land thus charged to myself and son, to be resold. It was then purchased by the agent of the company of speculators, at a price not exceeding \$1 27, who immediately sold it to me at one dollar advance per acre, which he had previously agreed to do. I took of course the receivers receipt to said agent, with the register's receipt upon the back of it, for the transfer of the same to me.

*Question*—Who were the bidders or agents of the company for purchasing at the public sales, how many of them were there, and where did they reside?

*Answer*—I think there were five, if not six persons, who were considered by the people at large as bidders or agents for the companies of speculators. I cannot now remember the names or residence of more than four of them; there were Robert J. Walker, of Natchez, Miss. — Ellis, of Louisiana, and Malcolm Gilchrist, of Alabama, and McLamont, of Tennessee.

*Question*—Who was the person, whom you say addressed the meeting and told them of the combination of the speculators, and what was the name of the agent from whom you purchased your land?

*Answer*—The man who addressed the people was Robert J. Walker, the same from whom I purchased the land.

*Question*—Who were register and receiver at Choctawhatchee land office; were they present at the sale and informed or had knowledge of the existence of such combinations of speculators and their object, and did they interpose in their official character, or otherwise to prevent the accomplishment of the purchases for which they had contracted?

*Answer*—Samuel Gwin, who was register, and Richard H. Sterling, who was receiver (as will appear from the receipts for the land which I purchased) were both present when Robert J. Walker addressed the people on the subject of the combination and their intention, and I neither saw nor heard of any interference on their part either by word or deed.

*Question*—Did you see or know of any conduct on the part of either the register or receiver, which would justify you in the belief that they were concerned in the said speculation?

*Answer*—I heard the register, Samuel Gwin say exultingly, and with a snap of his finger, to some persons who were near him, when a certain portion of the public lands were bought by one of the agents of the company, "that land will bring us ten dollars per acre."

*Question*—Do you know if the register or receiver of the office, has ever demanded of the purchaser, fees or compensation, for the performance of their official duties, not authorised by law?

*Answer*—I paid the register one dollar for every separate transfer of eighty acres from the said Robert J. Walker to myself. I am ignorant if he were justifiable or not in taking that fee.

*Question*—Who acted as auctioneer, and was he considered as one of the company of the speculators, or was he in any manner connected with them?

*Answer*—Col. Rather, of Alabama, generally acted as crier. He himself told me, that he had constantly been in the woods, for the last six weeks, examining the lands, and taking numbers, I understood him to say he was one of the company of speculators.

*Question*—Did the actual settlers who attended the sales, and bid for the tracts of land on which they were settled, independent of the company in a single instance, obtain their lands at government price, and were not most of those settlers driven to the necessity of purchasing by permission of the companies of speculators, and each limited to one quarter section before such permission was granted?

*Answer*—I know of no instance of a person purchasing independent of the companies who obtained the land purchased at one dollar and twenty-five cents per acre. I do know several instances where the purchaser was bid up to six dollars per acre. Most of the actual settlers obtained their lands through the companies, or by their permission, and consented to limit their purchases to one quarter section, each as a condition on which the permission to purchase at government price was granted by the company of speculators.

*Question*—Were there any lands sold at a higher price than one dollar and twenty-five cents per acre, and again offered at public sale on the same day by the officers superintending the sales, and bought in by the company of speculators at government prices; and if so, state at what price the land was first sold, and the cause assigned by the officers for setting aside the original purchases as aforesaid and again offering the land for sale?

*Answer*—There was a tract of land, the quantity I do not precisely know, bid off for Mr. Wilkinson at twenty-two dollars per acre, to the best of my recollection. Immediately after the sale, and before any other land was offered, one of the officers, I do not know whether the register or receiver, demanded a deposit of the money for the land, of the purchaser. Mr. Wilkinson replied he had the money; and exhibited the

money in his hand, but stated that, as the regulation of the sales allowed him until next day at 10 o'clock to make payment, he would not be driven to deposit at that moment. To which the officer replied, that if the money was not deposited in five minutes the land would be considered as forfeited, and resold. The deposit was not made and the land was sold in five minutes afterwards to one of the bidders for the company of speculators at one dollar and twenty-five cents per acre.

*Question*—From the conduct of the officers throughout the sales, and every thing which you observed during your attendance at these sales, are you, or are you not, firmly impressed with the belief that these officers were combined with the speculators, and interested in their purchases?

*Answer*—I certainly was so impressed with the belief at that time, and still believe so; they were combined and interested in the purchases made by the speculators.

*Question*—Did it not appear to you to be the general impression of those who attended the sales to purchase lands, that the officers were concerned with the speculators?

*Answer*—Such appeared to be the general impression of the settlers who attended the sales.

*Question*—Did the register, Samuel Gwin, demand of each person who received the transcript from the speculators, one dollar for such transfer?

*Answer*—I saw several persons pay one dollar for such transfer, and believe it was a general practice and heard several persons complain of the charge.

*Question*—Did the speculators require the actual settlers to sign a paper, pledging themselves not to purchase more than one quarter section before they granted permission to them to purchase at the government price?

*Answer*—I believe they did, for such was the observations of Robert J. Walker, in his public address to the people.

EDM. ROW.

Washington city, April 19, 1834.

#### REPORT OF THE COMMITTEE ON FINANCE.

IN THE SENATE—FRIDAY, JUNE 27.

Mr. Webster, from the committee on finance, made the following report:

The committee on finance, to whom was referred, on the 23d instant, the bill from the house of representatives, entitled "a bill regulating the deposit of the money of the United States in certain local banks," have had the same under consideration, and are of opinion, that, in its present form, the bill ought not to pass.

Its leading provisions are, that the secretary of the treasury shall employ state banks, as depositories of the money of the United States; and that the banks, at present employed, shall continue to be depositories of the public money, until new selections shall be made under the provisions of this bill. It is proposed that the bill, should it become a law, shall go into immediate operation, nor is there any limit to its duration.

It cannot fail to be seen, that the passage of this bill, if not a legislative adoption of the act of removing the public moneys from the bank of the United States by the executive, and the disposition made of them by him, in state banks, would be, at least, an acquiescence in that state of things, which those proceedings of the executive have produced.

The committee are not prepared to recommend the adoption of any such measure to the senate.

By the 16th section of the "act to incorporate the subscribers to the bank of the United States," it is solemnly enacted and declared, in express terms, "that the deposits of the money of the U. States, in places in which the said bank and branches thereof may be established, shall be made in said bank or branches thereof, unless the secretary of the treasury shall at any time otherwise order and direct: in which case the secretary of the treasury shall immediately lay before congress, if in session, and, if not, immediately after the commencement of the next session, the reason of such order or direction."

By the 20th section of the same act, it is provided that, in consideration of the exclusive privileges and benefits conferred by the act, the bank should pay to the United States one million five hundred thousand dollars. This sum has been paid, in the instalments required, and the government of the United States has received and enjoyed all its full benefit.

The committee have expressed the opinion on a former occasion, that the custody or keeping of the public moneys was one of the benefits, in consideration of which the bank paid the million and a half of dollars, and also undertook to render facilities of exchange to the treasury. The correctness of this opinion, they suppose, cannot be reasonably doubted.

On the first of October last, the deposits of the public moneys were removed from the bank of the United States; and the reasons for this removal were reported to congress, by the secretary of the treasury, at the commencement of the present session. Those reasons have been considered by the senate, and, after a discussion of almost unprecedented length, the senate has decided, by a clear and unequivocal majority, that they are unsatisfactory and insufficient. It has reaffirmed this opinion, on a second occasion, by a majority of twenty-nine votes to sixteen; and it has passed a joint resolution directing the deposits to be made in the bank of the United States and its branches, as heretofore, by a majority of twenty-eight votes to sixteen.

If it be true that the deposits have been removed without sufficient reason, it certainly is true that injustice has been

done to the bank, in a matter of private right, and private property; and a bill, like the present, disregarding the chartered rights of the bank, proposing a new custody for the public treasures, appears to the committee in the light of a sanction to injustice and illegality. The bank purchased the privilege of the public deposits, for the whole term of its charter, and paid for the privilege a valuable consideration, both in money and stipulation for services. This right has not been surrendered; it has not been declared forfeited; and the charter of the bank has not yet expired. Until the charter shall expire, or until the right be surrendered or forfeited, the bank, in the opinion of the committee, is entitled to the enjoyment of the benefit secured to it by plain and solemn provisions in the law which gave it existence. The removal of the deposits therefore, was a wrong done to the bank; the withholding them is a continuance of that wrong; and any confirmation, either of the removal or the further withholding, is, as it seems to the committee, a sanction of that wrong. This objection to the proposed bill appears to the committee to be insurmountable.

But there is another consideration of still higher importance to the country, if any thing can be of higher importance than the preservation of the plighted faith of the nation. In the judgment of the senate, dangerous liberties have been taken with the constitution and the laws. On the 28th day of March, the senate formally and solemnly resolved, that "in the late executive proceedings in relation to the public revenue, the president had assumed a power not conferred by the constitution and laws, but in derogation of both." These proceedings were the removal of the deposits, and the placing of the public moneys in those state banks, where they now are, and where this bill proposes to continue and legalize their custody.

It is not to be concealed that a great question of constitutional power has arisen between the president and the senate. That question has deeply agitated, and continues deeply to agitate, the whole country. In justification of his own conduct, and in opposition to the resolution of the senate of the 28th of March, the president, on the 17th of April, transmitted a protest to the senate. The senate, after a full and free discussion of the doctrines of that paper, have resolved, by a majority of twenty-seven votes against sixteen, that it "asserts powers as belonging to the president, which are inconsistent with the just authority of the two houses of congress, and inconsistent with the constitution of the United States." Driven, by its sense of duty, to the expression of these opinions, and ignorant neither of their high importance, nor the responsibility which belongs to their avowal and their support, the senate has referred itself, and must refer itself, for their correctness to the judgment of the country. It appears to the committee, that before any measure is adopted for the permanent custody hereafter, of the public treasures, the questions which their removal has created must be decided by the general judgment of the country; and that decision, so far as the senate is concerned, it will, of course, cheerfully abide.

Has the public treasure been wrongfully withdrawn from the bank of the United States? Does the legal right of the bank to the custody of that treasure still remain? Has the conduct of the executive, in the removal, and in the proceedings connected with it, been in derogation of the constitution and laws? Has a violation both of the constitution and the laws taken place, which calls for correction and remedy? On all these questions, in the most solemn and deliberate manner, the senate has pronounced its solemn judgment in the affirmative; and it appears to the committee that, until the opinion of the country shall be ascertained, it cannot be expected of the senate to agree to any measure which may legalize the present state of things, and appear to sanction past transactions.

The bill does not suggest any middle or third course. It proposes no custody for the public treasure, except precisely that which the executive, after removing them from the bank of the United States, has himself selected. The provisions are, that congress shall take upon itself the duty and the responsibility of giving legal character to the selected depositories, prescribing only certain regulations for the future.

The time now come indeed, whether the deposits be returned to the bank of the United States or not, when legislative provision on the subject will become necessary, since the charter of the bank will expire in 1836. But the committee think it too early now to provide for the keeping of the public moneys after that time—at present, that keeping lawfully belongs to the bank of the United States; and will lawfully belong to it, unless it surrender or forfeit the right, until the expiration of its charter; and there is ample time before that expiration for making such provisions as may be deemed necessary for the period which shall ensue.

The committee do not at all connect the present question with that of the renewal of the charter of the bank. As a question of constitutional right and legal power, it has nothing to do with the renewal of the charter. If we take it for granted that the bank is not to be continued beyond its present term, still it does exist till 1836—it does till that time hold its rights; and the constitutionality of the proceedings of the president cannot be affected, in the slightest degree, by the renewal or non-renewal of its charter. The ground taken by the senate, therefore, on these great and all important questions, stands free and clear from all questions about the renewal of the bank. The questions which it has so anxiously considered, so freely discussed, and so solemnly decided, are constitutional questions, political questions; questions relating to the powers of

the respective branches of government, and nearly affecting the integrity and preservation of the constitution itself.

The senate has the gratifying consolation of being conscious that it has in no way contributed to the present distressing and alarming state of things. The senate has not sought to break in upon the authority of law. It has not interfered with the expressed will of the legislature. On the contrary, its whole effort has been to maintain and to restore the law; and to continue the custody of the public money in the hands designated by the statute of congress. The senate has not removed the deposits; the senate has not selected state banks; the senate has done nothing to produce any change in that prosperous state of public affairs, which existed on the first day of October. On the contrary, it has resisted change; it has proclaimed its judgment against rash experiments; and it has borne its solemn and conscientious testimony against violations of constitution and law.

As to the particular provisions of this bill, supposing that this were the time for enacting a law for the safe keeping of the public money, after the bank of the United States shall expire, the committee think them very deficient and wholly unsatisfactory.

In the first place, the committee think, that the public money ought not to be kept in any bank, which is not made, by some formal and legal proceeding, always open to the examination of a committee of either house of congress.

2. The deposit banks should pay an annual interest for the use of the deposits, since they pay no bonus or outright sum, nor render other adequate compensation for such use.

3. Provisions are necessary for regulating the distribution of deposits, and limiting the use of transfer checks. This is absolutely necessary; if it be intended that different parts of the country shall be placed on grounds of equality.

4. Express enactment should be inserted against any payment, in any form, by the deposit banks to persons employed, or designated by the executive to examine their condition, superintend their proceedings, or render any other service to the executive government not authorised by law.

5. The security to be given for the safe keeping of the money should be carefully provided for, since many of the banks are inconsiderable in responsibility, and might nevertheless have, as the bank of the Metropolis now has, an amount of public money in its custody three times as large as its whole capital.

These are heads of objection which have presented themselves to the committee, in the few hours during which the measure has been under their consideration. They think the bill deficient in guards and securities, deficient in provisions for the fair rights and advantages of the government; deficient in provisions for maintaining the just claims of different portions of the country; and deficient in all those checks and modes of control, which are essentially necessary to remove the public moneys beyond executive will, and place them substantially and truly in a legislative custody. This part of the subject, however, the committee do not dwell upon, since, for reasons already stated, they do not recommend the adoption of any measure at present to meet the exigency which will arrive, when the charter of the bank of the United States shall expire. The committee are the less inclined to any such provision at present, from the failure of the existing arrangement hitherto to answer the purposes proposed by it. After a trial of eight months, the system of employing state banks has not been found capable, at least in its present manner of operation, of satisfying the necessities of commerce, sustaining credit, and giving usual facilities to exchange.

Thus far it has not been found practicable to maintain a wide and extensive circulation of the bills of local banks. In looking at the late returns of the bank of the Metropolis, a signal evidence of this fact is seen. With deposits of government money in its possession to an amount exceeding nine hundred thousand dollars, it does not sustain a circulation of one hundred thousand dollars, and its notes are known to be sold at a discount, even at a short distance from the capital! The public payments through the bank, thus situated at the seat of government, are necessarily very large, and they are of course often made to persons who wish to take or transmit the money to distant parts of the country. But this cannot be done without loss. Hitherto, persons receiving sums of money of government at the seat of government, have been able to receive checks and draughts available without loss, in any other place in the country. The difficulty of buying or selling bills on distant places, which now exists here, or of transmitting funds without heavy loss, is abundant proof that the exchanges of the country are not sustained, with ordinary convenience, by the present mode of employing state banks. For this reason, therefore, as well as others already stated, the committee are not prepared to recommend the passage of the present bill, even though it should be limited to come into operation only after March, 1836.

The committee recommend that the bill be amended by striking out all after the enacting clause, and inserting the following words, viz:

"That all deposits of the money of the United States which may accrue, or be received on and after the 1st day of August, A. D. 1834, shall be made with the bank of the United States and its branches, in conformity with the provisions of the act entitled 'an act to incorporate the subscribers to the bank of the United States,' approved 10th April, 1816."



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The president of the United States left Washington, a few days ago, on a visit to Tennessee. It is said that he will not return until October.

The stage in which Mr. Clay was proceeding from Charlestown towards Winchester, was overturned, when descending a hill, and a worthy young gentleman, Mr. Humrickhouse, son of the contractor, instantly killed, being crushed by the stage. He was seated by the side of the driver. Mr. C. was slightly injured. The accident happened in consequence of a defect in the breast chain, which gave way.

On his arrival at Winchester, Mr. Clay was invited to a public dinner, which he declined, as well on account of his desire to reach home, as because of the accident above stated, which disqualified him for immediate enjoyment at the festive board.

It is stated that the senate, at its last session, confirmed four hundred and forty-nine nominations of the president, and rejected only seventeen. This does not shew a "factious" spirit in the senate.

The meetings and proceedings of the people, in many parts of the U. S. were more than usually large and animated on the late national anniversary. We shall make a brief record of some of the doings on this occasion, to shew the spirit of the times.

Thursday last was set apart to be observed, at Baltimore in grateful remembrance of the services of the good and great LAFAYETTE. The people, generally, ceased their usual avocations, and most of the stores on the principal streets were closed; minute guns were fired at intervals, and the bells of all the churches tolled. The apprehension of an exceedingly hot day, prevented many from joining the procession—which, however, was very numerous and imposing, and apparently well managed in its various parts. A funeral oration was pronounced, with an appropriate introduction and ceremonies; and the soberness of the occasion was maintained throughout.

We cannot go into particulars. We shall, as heretofore stated, notice some of the tributes of respect paid to the memory of the last general of the revolutionary army; but it is impracticable to give the details, so numerous are such tributes. An account of his illness, death and funeral, will be found in subsequent pages.

Individuals, in public employment, have no right to force their private preferences on the people's attention. A great excitement had been caused by placing a wooden effigy of president Jackson on the bows of the frigate CONSTITUTION. To say the least of that proceeding, it was ill-advised and in bad taste.\* On the bows of that ship, the head of no living man should be placed; or if so, the place belongs to that of the "father of the constitution," the illustrious MADISON. We recollect that, some time ago, when a steamboat, which had been employed to convey Mr. Lawrence to New York to take his seat as mayor of that city, returned with her gaudy dressings to Anboy, to perform her usual duties in a public line for the conveyance of passengers, these, by common consent, refused to enter on board of her unless her trappings were removed—and so great was their indignation and the instant fear of her commander, that these were literally torn down by his order, lest the public should "correct the procedure" for themselves, and carry out the feelings which they expressed. And we see it mentioned that, at a certain place in Ohio, a stage

was suffered to pass on empty, though passengers enough were actually in waiting to fill it, (and who lost the day rather than enter it), because its panels were embellished with portraits of a person not esteemed by them. These remarks are of a general character, and we think it would be well if proprietors of steamboats and stages and other public conveyances, and other persons in public employments, would reflect a little upon them. There should not be party politics in such things.

The papers are filled with articles relating to the fact stated below—which has been at once the cause of much wit and laughter, on the one part, and of as much wrath and indignation, on the other. How this affair was accomplished, though the night was very inclement, is not even conjectured. The actors must have exerted great ingenuity and address to perform their various operations, without alarming the sentinels on duty in the yard.

From the Boston Courier of July 4. There was considerable excitement in the city yesterday, in consequence of the decapitation of the figure of general Jackson, recently placed as a figure-head on the frigate Constitution. It appears that during the night of Wednesday, the head of this wooden image was sawed off, by some person or persons unknown. It is rather a mysterious affair. The Constitution lies at the navy yard, between two seventy-fours, and it is understood that a guard, or watch, is continually kept on board. It seems impossible that the deed could have been executed without discovery, notwithstanding that the night was dark and rainy. The head, which has thus been severed from its trunk, it is said, was at least twenty-five feet above the surface of the water. It is the opinion of several intelligent men who examined the premises yesterday, that the perpetrators must have gone to their work through the navy yard.

It was reported last evening that commodore Elliot had offered one thousand dollars for the discovery of the person or persons who committed the deed.

We insert the address of the postmaster general to the people of the United States, under a fear that it will lead us into a greater mass of controversial matter than we can easily dispose of—and besides, there are many other things to which we desire to pay some attention; but we must "submit to fate." Our editorial life is chiefly one of self-denial—over which we have but little control, in times like the present.

A report is afloat that gen. Jackson will soon resign the presidency, and another that he will run for a third term. There is not, probably, a shadow of truth for either.

During the present week we made a brief excursion to Frederick and proceeded to Harper's Ferry. We never before saw such crops of wheat, or more flattering prospects for those of corn. Several intelligent gentlemen expressed an opinion that the average of the wheat crop of all Frederick county would be more than twenty bushels, say twenty-two bushels, to the acre, and of the best quality. And many of the fields of growing corn had an average standing height, we think, of more than four feet.

The crops of wheat are also heavy in Pennsylvania, and the west, and the corn looks well; so that we have every reason to believe that if the "experiment" has rendered it difficult for the laboring poor to earn much money to purchase bread, that bread will be plenty, and that a little money will go far in obtaining it. The last crop was short, and is very nearly exhausted—but there is no present expectation of a lively foreign demand, and a well entertained fear that the great market which the grain growers have had in the eastern states may be much

\*Since the preceding article was written, as will be seen by the article that follows, the head of the effigy has been mysteriously removed.

diminished by the deranged state of the manufacturing establishments therein, and consequent want of means to pay for southern bread-stuffs; for the eastern people have a wonderful facility in regulating their expenditures according to their incomes—of saving money, when making lessened earnings of it.

The eastern market, ever since the establishment of manufactures in New England, has been far more important to the grain growers of the United States than the foreign one.

The Patriotic bank, at Washington, will resume specie payments forthwith.

One of the leading "humbugs" of the day is what is called the "gold bill," concerning which the official "Globe"—the "organ" of "the powers that be," has many silly, or worse than silly, paragraphs. The two following, as italicised and CAPITALISED in that paper, may serve as specimens:

*From the Washington Globe.*

"To those who talk of a NATIONAL CURRENCY, we point them to the GOLD REGION in Virginia, the Carolinas, Georgia and the contiguous portions of east Tennessee and Alabama. There is a NATIONAL TREASURE! There is material for a NATIONAL CURRENCY!"

"Contrary to their will, the bank party, even in the senate, have been obliged to vote for the measures of the administration, deemed essential to carry out its policy. By public opinion they have been forced to vote for the GOLD BILL, which is a measure of deadly hostility to the interests of the bank, will supersede its notes, and is the harbinger of a real SOUND CURRENCY. The people are now enabled to understand the policy of the administration, and to see that it would give them GOLD instead of PAPER. The great bank attorney, Mr. Clay, was bold enough to vote against this bill; but he could carry only six of the bank senators with him. The mass of them, although they voted for the bill with the utmost reluctance, dared not to tell the people 'we will deny you gold, and force you to depend for a general currency on the notes of the mammoth bank.' Thus were they forced to minister to the triumph of the administration."

The stuff about the majority of the senate doing a thing "contrary to their will," &c. is hardly worth a remark. The "bank party," "interests of the bank," "bank attorney," "bank senators," "mammoth bank," and "TRUMPH OF THE ADMINISTRATION," are mere setting poles to make a HURRAH: The stockholders of the bank have a present deeper interest than any other class of persons in the United States, in the preservation of a "SOUND CURRENCY," in which the debts due to them may be paid, and their capital refunded—if the "glory" of the "Globe" is consummated in the prostration of that establishment.

Let us see how the account stood on the 1st June—

The capital of the bank.....	\$55,000,000
The loans and debts.....	52,201,912
Due from state banks.....	3,329,362
Real estate, &c.....	3,000,000
	\$63,531,274
Deduct—specie on hand ("sound currency")	12,298,333
Notes in circulation— (ditto!)	16,612,577
Funds in Europe, about (ditto!)	1,500,000
Private deposits (ditto!)	6,867,892
	\$37,278,802
	\$56,252,472
Less—	
U. S. part of the capital—1-5th—	7,000,000
of debts due, &c. do.	11,706,255
	\$18,706,255
	\$37,546,217

Now if the whole interest which "the government" has in the bank is paid off in "glory," and the "hurrah boys," (as Mr. Van Buren calls them), are content with that, the private stockholders of the bank of the United States will require a "sound currency" in the large sum of 37,546,217 dollars to refund their capital and satisfy the surplus profits earned! And, as it is determined that the bank shall be closed, all this money will be needed by them in the space of three years from the 31 March next, being the utmost limit to which the power of the bank will extend, even in the settlement of its old

concerns! Where is such a glorious glory of gold to come from? The "gold region of Virginia," and other states? Bah! It will require a *Midas*, with an ass's ears, to make a long bray about this! Every one does not see his way clear to pay off honest debts to the bank at the rate of three or four cents in the dollar, though having many illustrious examples of such operations before him—and every body does not furnish "twine, blanks and paper" to the post office, or receive 8,386 dollars for publishing a single advertisement for less than three months, or at the rate of more than 100 dollars a day! The diggers get gold by the sweat of their brows, and other men have to give them the *quid pro quo*; but these chief bawlers about gold obtain it by genuflections and crawlings, having well-oiled knee joints and brazen faces. Con over the names of these men—and call to mind their former proceedings as to money matters; and we may well smile at some of their shoutings about a "sound currency!" But they are now thrifty through fawning, and have "waxed fat" on the "spoils of victory." They must, however, sometimes think—and if so, must know the folly of this "humbug." But custom has almost made it natural for them to mislead the people; and, as the *Esquimaux*, from habit, would prefer a piece of whale's blubber, though half putrid, to a fresh-killed canvass-back duck, so these, from habit, prefer high pressure statements, or arrant falsehoods, to the soberness of reason and plainness of truth.

If this be not so—why such hurraings about the passage of the "gold bill?" Has one of Mr. *Ritchie's* "mare's nests" been discovered? Was it only just now thought of to advance the legal value of our gold? Did any one oppose the principle of the bill? We have not heard of one. But, while all agreed that the legal value of gold ought to be raised, as measured by silver, some opposed the bill as it passed under an apprehension that the rate of gold was placed too high; and we shall be much pleased to find, a short time hence, that they and ourselves were mistaken. We think it possible that, within the space even of three years, a bill of the bank of the United States, if to be paid in dollars, may be more valuable than a new-made eagle. We would have avoided the danger of this by more closely regulating the comparative value of the metals which compose our coins—that is all that should have been done, and so much ought to have been done long ago.

The bank has a very small, if any, interest in this matter, whether its charter shall be renewed or not.\* Its notes are better than the new gold coins will be, and so will remain as long as they are permitted to circulate among the people, because of the greater cheapness and safety of their transportations: but if the gold bill has any sensible effect on the currency at an early day, it is the state banks that will feel it, in reduced circulations, and the hurrah will be on the other side! If a man has ten 1,000 dollar notes of the bank of the U. S. and goes into the office at New Orleans, he may get a draught on Portland, if he pleases, for  $\frac{1}{4}$  or  $\frac{1}{2}$  per cent. if not at par—and the further east of the remittance will be 25 cents for postage: but if he has \$10,000 in gold at New Orleans, it will cost him at least 2 per cent. to pay a debt with it at Portland. And besides, in the first mode of remittance there is no risk—but the second is attended with much hazard and delay. In an interruption of exchanges, the office at New Orleans cannot give a draught on Portland, though gold be laid on the counter for it, unless at a rate of premium that will pay for the cost and insurance of the transportation of the gold to satisfy the debt made at Portland, with interest, on account of a less rapid remittance than the mail is expected to furnish. Every business man understands this, and it is not worth while to say more about it. Persons will no more deal in gold than in paper, without a view to profit. If exchanges are to be made in gold, the costs of transportation and insurance must be added to the premium or interest that shall be charged.

The reference made to the "gold region" as a "national treasure" is stupidly ridiculous. The countries that produce most gold are among the poorest in the world. Ignorance and poverty and misery abide in them, and the laborers are degraded working machines.

\*Except as above stated.

THERE IS NO EXCEPTION TO THE RULE. As a branch of the national industry, and in places where there is a surplus of labor, the digging for gold may be well enough—but it is seldom more profitable than digging for potatoes. A quantity of potatoes worth \$100, is just as valuable as 100 dollars in gold, with this difference, that it is the owner of the potatoes, and not of the gold, who commands the market—for persons do not eat gold. And what is this "flourish of trumpets" about the "gold region"—this "national treasure?" Why the makers of buttons, horn combs and wooden clocks, in Connecticut, might gather to themselves as much gold annually as is produced in all our mines and washings; for their wares are worth more money in the market. England produces neither gold or silver—and yet lent money to Mexico, Peru, Brazil, &c. Holland had no mines, but was the banker of nations! It is a PRODUCTIVE INDUSTRY that gathers and retains gold or silver. Without that, no matter what may be the legal enactments about gold, the metal cannot be retained amongst us. It will seek those countries wherein labor is best rewarded. The "national treasure" is in the successful industry of the people—the wheat grower, cotton planter and cod-fisher. Strike out even the fishermen from the productive classes, and all the gold that we obtain from our mines will not remunerate the value lost—though the gold were found in a heap and ready coined for use.

So much for the hurrah! We have long desired a new regulation of the legal comparative value of gold, but think that the rate established is about two per cent. too high. If such is not the case, we shall be as well satisfied with the passage of the gold bill as col. Benton or Mr. Blair can be—but without making any noise about it.

It may be well to add, by way of information, the following paragraph from another number of the "Globe," prefacing it with the *light* matter preceding, that persons may hereafter see the *manner* in which the wildness of political party speaks on this subject.

"The great bills have passed. The triumphant measure is adopted. Gold—the cherished currency of all nations—a currency banished from the United States for a whole generation by the power of bank legislation—this precious currency once more appears in our land, and, in defiance of bank power, will diffuse and spread itself throughout the country, and become the familiar inmate of every industrious man's pocket. Such is one of the first fruits of the great measure of removing the deposits, and rousing a continent to its energies against the oppressions of a lawless and gigantic moneyed power. What now has become of all those predictions that the currency would be ruined—that there would be nothing but broken bank notes to be seen in the land! The new law is to take effect on the 1st inst. but already gold is in circulation! already the rare and precious metal is jingling in the pockets, and glittering in the hands of the people. Already many travellers have supplied themselves with it, and will be able to traverse the country without the danger of receiving, or the humiliation of offering to pass, the counterfeit imitations of a wretched paper currency. Strangers as our whole population are to the sight of gold, it may be necessary to give them some information upon the value of the coins which will come chiefly into circulation. Our old coinage, now in existence, will pass thus: the eagle \$10 66 $\frac{2}{3}$ ; half eagle \$5 33 $\frac{1}{3}$ ; the quarter eagle \$2 66 $\frac{2}{3}$ ; this being the true value of the pure gold now in those coins; the new coinage will contain as much less pure gold as will make the eagle and its parts pass at \$10, \$5 and \$2 50. British gold, of which a great deal will come in along the whole line of the northern frontier, from Passamaquoddy Bay, to Lake Superior, as well as on the sea coast of the Atlantic, will pass thus: the guinea \$5 $\frac{1}{2}$ ; the sovereign \$4 84; the Louis d'or of France, about \$3 75; the doubloons, Spanish and Patriot, \$15 60. Note. All these values suppose full weight, as the value is always to be corrected by weight. The doubloons, both Spanish and Patriot, are by law the same value, for they are of the same weight and fineness, but the Spanish doubloon will generally be above the legal rate in market for exportation to Cuba, where that species of doubloons passes for \$17."

The readers of the REGISTER will well remember, that, years ago, we pressed upon congress the importance of raising our legal value of the pound sterling, and gave many examples of the unfair operations of its value, as established by us, on the duties payable at our custom houses on foreign goods imported; and so it was, that, because of the differences of exchange, our own manufacturers not only lost a considerable part of the amount of the protection which the law nominally gave them, but that, if 1,000 dollars, in specie, were sent, by the same person, to England and to France, and laid out, in each, in the purchase of goods subject to a 40 per cent.

duty *ad val.* the duty on the English goods would be less in the sum of 28 dollars and 6 cents, than the duty on the French goods, really costing the same sum and no more—or almost three per cent. So it was because England measured value by gold, and France and the U. States by silver, as has been often and fully explained by us.

Now, according to the "Globe," as above quoted, the value of the sovereign, or pound sterling, is 484 cents; but its value was established by the tariff of 1832 at 480 cents. The average rate of the exchanges might have justified a fixing of it at 488 cents—but the convenience of regarding the English penny as equal to 2 cents, exactly, led to the adoption of the lesser amount, or 480 cents. And so it is that the principle which we ("tariffites") long contended for, has been adopted—in "glory!"

The just preceding remarks apply to exchanges—that is, the use of paper, or "credit," in bills and draughts, by which the mass of commercial business is always transacted, and always will be. But the effect of the "gold bill," is to make gold, as measured by silver, more valuable in the United States, according to that measure, than in England or France; and if gold, at the legal rates now established, is to be our standard of value, may not embarrassments ensue with respect to our silver currency, and the various exchanges that grow out of or are measured by it? There is no sort of objection with us, as to the bill, unless, as above stated, that the legal value of gold is rated too high.

☞ We have since noticed a little table, in the New York Mercantile Advertiser and Advocate, shewing the market value of eagles and Spanish doubloons, at 14 different periods of time between January 4, 1828, and May 7, 1834. Up to January, 1832, the average value of the eagle was \$10 60—but in May last only \$10 30. The value of the doubloon has been subject to greater variations, being regulated by the demand in Cuba, &c.—for instance, in May, 1833, it was worth \$17 42—but in last May only \$16 25.

Another New York paper, after saying that the rate of exchange on England is 3 $\frac{1}{2}$ @5 $\frac{1}{2}$ , observes—nothing but the scarcity of money prevents the rate from going higher. "The purchases of bills are many of them for the purpose of importing gold, which will pay at the present rate."

Gold, like every thing else, is only an article of merchandise, and it seems that there is to be an increased trade in it on account of the advanced legal value that we have given to that metal; and the principle which now induces the importation of gold will lead to the exportation of silver, as soon as the stock of gold is considerably increased. It is the market value of gold or silver, not the legal value of any certain number of pennyweights, that fixes the true value; and the supply of gold or silver depends on the demand for them, or either of them. For an example, if \$ 75 cents in silver were demanded for a barrel of flour which might be had for half an eagle—the latter would have been plenty among our farmers.

The importation and exportation of specie or bullion are governed by the same laws which regulate the import or export of silks and teas, tobacco and pine boards.

It is stated that "dry goods to a large amount are re-shipping [at New York] to England for the benefit of drawback. Some of the shrewd men in Wall street calculate that at least fifty millions of capital and currency have been withdrawn from business operations since last October."

A Pottsville paper says that there are 600 unfinished houses in Philadelphia—built last year, and remaining as they were.

It is said that 150 workmen are about to be discharged by one of the glass manufacturing companies near Boston.

We meet with many like items in the newspapers.

The sheriff of Schuylkill county, Pennsylvania, has advertised for sale, thirty-six farms and lots, which are to be sold during the present month to pay the debts of the present owners.

The ship America sailed on Tuesday for Liverpool with one hundred and fifty-seven steerage passengers. Now let it be answered whether these people were bribed by the bank to go home, or whether business

and industry over the whole face of our country are so completely paralyzed by the fatal experiment, as to leave them no other alternative.

[*Cour. & Eng.*]

And yet emigrants are arriving in great numbers in Canada, and in the United States—especially from Germany, in the latter. The prospect of employment is a dull one, unless in the operations of mere animal labor—and even that is becoming difficult to obtain.

We have lately had some interesting items of news from Liberia. The colony seems to be doing well, and a location for the Maryland colony has been obtained at Cape Palmas. The climate, however, has proved very fatal to the white missionaries and agents, and the most of them have died. We shall prepare a summary of particulars for our next paper.

It may be here mentioned, that the small party of "abolitionists" at New York, &c. are endeavoring to carry out their wild notions with a high hand—that several "rows" have taken place, in the city just named, and especially at the Chatham chapel on the evening of the 7th July, in consequence of its occupancy by a large meeting of the abolitionists and people of color, contrary to the wishes of those in whose possession the chapel rightfully was. There was much fighting, and some persons considerably hurt, but none dangerously. Order was restored by the police.

P. S. There was a succession of riots in New York in the evening and night of the 9th inst.—first at the Chatham chapel, growing out of the "abolition" question, which was quieted. The mob then proceeded to the Bowery theatre, to punish the manager, Mr. Farren, for certain words that he was said to have uttered disrespectful to the American character, himself being an Englishman. They forced an entrance, and stopped the play—but were finally persuaded or compelled to retire, by the police. Next they marched to the house of L. Tappan, an "abolitionist," which they attacked and entered and threw the furniture into the street, &c. and seemed resolved to set it on fire, which caused a gathering of the firemen, who assisted in restoring order, at 2 o'clock in the morning!

The accounts are rather confused—and we have not time to pick out the particular facts stated. The mob was several thousand strong, and very furious. A few fanatics have raised a flame which they will not find it easy to subdue, and have seriously injured those whom they expressed a great desire to benefit.

Cases of cholera occasionally appear in some of the western cities and towns, and on board of ascending steamboats—but no alarm prevails, because of the disease, which is generally manageable, in persons who have taken a reasonable care of themselves.

The following is well called a "splendid acquisition." The Charleston Library Society have purchased of *Henry Middleton, esq.* (\$500) the magnificent work on Egypt, prepared under the auspices of Napoleon. It is comprised in eleven volumes of engravings, imperial size—of which five are devoted to the antiquities of this primeval nation—three to its natural history—two to its modern condition—and one volume is an atlas ancient and modern.

The eleven volumes contain eight hundred and sixty-eight plates, and are accompanied with twenty-six volumes, octavo, explanatory of their subjects, and of the history, antiquities and curiosities of the empire of Sesostris and the Ptolemies.

It will also be recollected that this institution enriched its collection in natural history and the fine arts not long since with Audubon's Ornithology—the price of which is eight hundred dollars.

The journey from Charleston, S. C. to Boston, by steamboats, via New York, and thence to Providence, &c. was lately made in less than four days.

The following are the vessels of the U. States, now on foreign stations:

*Mediterranean*—Ship of the line—Delaware. Frigates United States and Constellation. Sloop—John Adams. Schooner—Shark.

*West Indies*—Sloops—Vandalia, St. Louis and Fal-mouth. Schooners—Grampus and Experiment.

*Coast of Brazil*—Sloops—Natchez, Ontario and Eric. Schooners—Enterprize and Boxer.

*Pacific*—Frigate—Brandywine. Sloops—Fairfield and Vincennes. Schooner—Dolphin.

The steam carriage of col. Macerone, to run on the common roads in England, has been successfully tried in the vicinity of London. It travels five miles in 18 minutes, surmounting, with ease, considerable acclivities, and leaving in the distance all vehicles on the road. It can be immediately stopped and turned to a hair's breadth.

Joseph, Lucien, and Jerome Bonaparte, are now in London.

It is reported that general Santa Anna had deserted the popular cause in Mexico, sided with the army and clergy, and dissolved the national congress, who had, in turn, outlawed him. No one of the new governments has settled down into a state of peace and security.

The queen of England, when lately attending St. Paul's cathedral (on going and returning), was greeted with hisses and groans by the mob; who, the papers say, were exasperated by the queen's having herself surrounded by a troop of life guards.

Just as this sheet was going to press we received New York papers containing news from London to the 31st May, inclusive. A partial change in the British ministry had taken place, in consequence of some disagreement about the revenue of the Irish church. It seems most likely that lords Grey and Brougham would retain their places; but Mr. Stanley, Sir James Graham, the duke of Richmond and earl of Ripon had resigned. The earl of Carlisle was to be lord privy seal, Mr. Ellice secretary of war, Mr. Spring Rice colonial secretary, lord Auckland first lord of the admiralty, Francis Baring (son of sir Thomas) secretary of the treasury, and Mr. Moore O'Farrall, (an Irish Catholic), junior lord of the treasury.

The king had expressed himself favorable to toleration, but utterly opposed to licentiousness, and said that he would maintain "the church."

#### ITEMS.

The U. S. bank has declared its half yearly dividend of three and a half per cent.

A steam frigate at Toulon, 160 horse power, built by the French government, bears the honored name of our fellow citizen, Fulton.

The British frigate *President*, from England, having on board the governor and suite of Nova Scotia, and bound for that port, was spoken 1st inst. off the port of Halifax.

The people at Dubuque's mines, (Missouri), having no regular system of government, have taken the execution of justice into their own hands. We understand that a man by the name of O'DONNELL, who had committed two murders in one week—the last of them his partner in business—was to be hung during the past week, that being, in the opinion of the inhabitants, the only atonement which could be made for his crimes.

The number of persons arrived at Baltimore from foreign ports, during the month of June, was 1,753, of whom 135 are citizens of the United States, and the principal part of the remainder were Germans.

The St. Louis (Missouri) Times states that vessels of 400 to 500 tons burthen now trade to that place, and the editor looks forward to the day when merchant ships will be built at that place.

Such is the competition on the St. Lawrence, that emigrants are carried in the steamboats from Quebec to Montreal (180 miles) for 25 cents!

There have been great disturbances between the faculty of Harvard college and the students, in consequence of which many of the latter have been dismissed.

Charles Howard, Elisha Tibbitts and Levi Elmaker, have been appointed directors of the bank of the United States, in the place of Joseph White, Saul Alley, and Roberts Vaux, who declined the appointment.

#### LAFAYETTE—THE GOOD.

From the correspondent of the *N. Y. Journal of Commerce*.  
Lafayette is no more!—The brave, the noble, the generous, the patriotic hero—died on the morning of the 20th, [May] at a quarter before five o'clock. His illness was at first exceedingly slight, and no one calculated upon the lamentable result. He followed the remains of DuLong to the grave, and it is believed that he then caught a cold, which fixing upon his lungs,

has caused his dissolution. Like Canning, who suffered in the same way, after attending the funeral of the Duke of York, Lafayette owes his death to an attendance at the tomb. He was in his seventy-seventh year, having been born on the 1st of September, 1757. He was attended by Drs. Andral, Marjolin, Cloquet, and several other eminent medical characters, who up to the 18th gave it as their opinion, that their illustrious patient would recover. On the 19th five of them issued a bulletin descriptive of his state, and anticipating his recovery. But in the night a most material change took place, his breathing became very difficult, and when an effort was making to apply a blister to his chest, he mildly observed that it would be of no avail, and soon afterwards expired in the arms of Geo. W. Lafayette. On the 19th considerable sensation was experienced in the chamber of deputies, at the prospect of the dissolution of their venerable colleague, and M. Dupin in the course of the morning thus addressed the chamber:—"According to a wish expressed by several deputies, I feel no doubt but that the chamber will authorise me to send, in his name, to make enquiries relative to the health of our illustrious colleague—general Lafayette. (Numerous cries of "yes, yes")." "I have already," said the president, "sent in my own name."

This distinguished compliment is generally reserved for members of the royal family, and therefore can be the more appreciated when applied to the departed. The following was the reply to the message of the chamber:—

"Mr. President—All my family feel grateful for the interest the chamber has so kindly taken in my father's health. I have the satisfaction to inform you that there is a slight improvement in his situation. Have the kindness, Mr. President, to present the homage of our respectful gratitude to the chamber, and accept for yourself the assurance of my very high consideration.  
(Signed) GEORGE W. LAFAYETTE.

This note was loudly cheered by nearly every member in the chamber, but, unhappily, this joy was but of short duration, for on the next day the president thus announced the death of their colleague:—"I have the affliction of announcing to the chamber, the decease of the honorable general Lafayette. He died this morning at five o'clock. I shall now proceed to draw the names of the members who shall attend his funeral, but I have no doubt but a great number of his colleagues will consider it a duty to accompany his remains." M. Dupin was very much affected while addressing the chamber, and so also were several of its members. His intimate friend, M. Francis Delessert, moved that the president should be instructed to write a letter to the general's family expressive of the profound grief felt by the chamber for the great loss his colleagues and the entire of France had experienced.

This was instantly acceded to, and the chamber suspended its proceedings for an hour, so that the letter of condolence should be immediately written. A council was held at the Tuilleries soon after his demise, for the purpose of agreeing as to the necessity of calling out the national guard, and permitting them to attend the funeral of their devoted chief. It is not yet known what the intentions of the government are, but it is believed that they will not in any way interfere. One account that I have seen, states that he will have a public funeral, and that the two sons of Louis Philippe will be ordered to attend as chief mourners. If so, what a mockery will this be! That monarch who could insult, and attempt to disgrace Lafayette during his lifetime, is now amongst the most afflicted at his death, and would have us believe that his tears are proofs of his sincerity. I am not so credulous, for I firmly conceive those tears—to be tears of joy. Louis Philippe always dreaded Lafayette, and was afraid of the immense power which the veteran had always at command. He is rejoiced as much if not more so, than he was when he heard of the demise of young Napoleon. He now imagines that two powerful factions will be annihilated—that of the empire, in the death of the duke of Reichstadt, that of the republican, in the decease of Lafayette.

From the [London] True Sun of May 25.

LAFAYETTE—THE DYING SCENE.

An apparent melioration had taken place in the poor invalid's sufferings on Monday, but at midnight all the alarming symptoms returned with redoubled vigor—A devouring fever, oppression of the chest, great difficulty of breathing, with a death-like cough. At two o'clock a poultice was applied on his chest. "What are you applying there?" inquired the patient; "is it another blister?" "No general, a poultice." "C'est bien." (It is well.) These were the last words of Lafayette. The death-rattle soon followed; the dying man for a few moments breathed more freely and then serenely sunk to death, in the arms of the honorable M. Cloquet.

The numerous and extraordinary scenes with which his noble name is so pre-eminently connected in the old and new worlds, might have induced the prevailing belief that he was older. But his placid benignity of countenance and disposition, with his natural strength of constitution and temperate habits, had taught his friends to hope that his invaluable life might still have been prolonged, perhaps yet to witness the consummation of his patriotic wishes.

"Since the fatal day of Dulong's funeral, I have seen him a few times," says our Paris correspondent; "and, as I frequently and fearfully anticipated in my correspondence with the True Sun, I saw there was no hope. The last time I met Lafayette in public was on the 14th of January, at the grand dinner of

the "Union of Nations;" a banquet from which, of course, political discussion is excluded.

Previous to the splendid repast, I had the honor of shaking hands with him, and of holding a short conversation on literary and scientific subjects. His mind appeared as intellectual, and his ideas as philosophical, as ever; but there was an indefinable tacit expression of *malaise* in his manner; it was evident to me that the canker of "hope deferred" was preying on his inmost soul. Several Englishmen of distinction, rank and merit were present. Amongst them I remember the names of Sir Sidney Smith, Messrs. Macgregor, Ditchfield, G. C. Bennett, J. W. Lake, Gore, &c. &c. who all felt the painful forebodings I experienced. After dinner, the general rose, and attempted to return thanks for the enthusiastic manner in which the company had drunk his health; but he was unable to go on—his heart was too full—it was already broken.

A few days ere his death, a British gentleman of my acquaintance visited him in his sick room. They spoke of America, and the veteran's eyes sparkled with their wonted fire; they alluded to France, and he mournfully shook his head. "Beloved, but betrayed country," exclaimed he, "I fear thou hast yet many terrible struggles to undergo, ere thy goal of liberty is attained." These words you may rely upon as a fact. According to the desire of the deceased, he is to be interred at the private or privileged cemetery of Picpas, at the tomb of Madame Lafayette.

During the last illness of the fated father of the new dynasty, not a single message was sent from the court to inquire after the illustrious sufferer. But now, alas! the chateau is like a house of mourning, and the ministerial papers are replete with grief, for the loss of—king Leopold's son.

#### FUNERAL OF LAFAYETTE.

From an early hour on the morning of the 22d of May, the Rue d'Anjou St. Honore, in which the hotel of the late lamented Lafayette is situated, and every street and passage in its vicinity, was crowded with citizens of Paris, hastening to pay their last tribute of respect and attachment to the illustrious deceased.

The funeral ceremony, says Galigani's Messenger, from the public character of the deceased, both as a member of the chamber of deputies and a general, was invested by the government with all the imposing pomp which the attendance of numerous bodies of military never fails to give to processions of this description; while the attendance of the national guards, who came forward in immense numbers, to join in giving effect to this parting act of homage to their venerable colleague, and the crowded state of the streets leading to the church of the Assumption, where the funeral ceremony was to be performed, and from thence over the Rue de la Paix, the entire length of the Boulevards, and every spot near which the procession was to pass, showed the extent of the popularity, and the affectionate esteem with which the deceased was regarded by every class.

About half past seven the members of the various deputations appointed to take part in the procession began to arrive at the hotel, which was handsomely hung with black. Among these were numbers of staff officers, of the troops, and the national guards. Detachments of infantry were placed as guards of honor in the commencement of the Rue du Faubourg St. Honore, the Rue Royale, the Rue St. Florentin, and other points by which the procession was to pass.

At a few minutes after nine the body was brought down and deposited in the hearse, which was decorated with twelve tricolor flags, three at each corner; it was surmounted by plumes, and had the letter L on various parts of the drapery, and was drawn by four black horses. The cordons of the hearse were held by four persons of distinction, friends of the deceased. After a few minutes spent in preliminary arrangements, the funeral march struck up, and the cortege began to move. The hearse was preceded by muffled drums, deputations from various legions of the national guards of Paris, and the Banlieue, the 61st regiment of the line, and a regiment of red lancers. The hearse followed, which was immediately succeeded by the deputations of the chambers of peers and deputies; other deputations followed from various public bodies, among whom we perceived numbers of foreigners, particularly Americans and Poles. These were succeeded by *chefs de bataillon* of the national guards and the line, and these again followed by other detachments of national guards and troops of the line, headed by muffled drums and full military bands, two pieces of cannon, and a detachment of the 1st regiment of artillery, with a numerous body of cavalry of the national guards. Four of the royal carriages, three private ones of the general, followed by another regiment of lancers, seven private carriages, and a body of municipal guards, wound up the procession.

The immense crowds, and the small space left for the military, occasioned considerable confusion previous to arriving at the church, for along of room the hearse being stopped on one occasion more than a quarter of an hour. The coffin was then taken into the church, and the funeral ceremony being performed, the procession again proceeded; and, notwithstanding the incalculable crowds assembled, has passed the Rue de la Paix, and is now (as we are going to press) far advanced on the Boulevard, with the most perfect order and regularity.

All the ministers, says the same Gazette, on leaving the council held by the king on the preceding day at the Tuilleries, went in a body to make a visit of condolence to the family of general

Lafayette. They were received by M. George W. Lafayette, and conducted by him to view the body. An immense number of persons of all classes called in the course of the day and inscribed their names as participators in the general grief.

At a meeting of the citizens of the United States of America in Paris, held on the 21st at the hotel of the American legation, to take into consideration the most appropriate manner of expressing their sorrow for the loss they and their country have sustained by the death of the great and good Lafayette—Thomas P. Bariton, esq. charge d'affaires of the United States, was called to the chair, and Duncomb Bradford, esq. American consul, was appointed secretary. The following resolutions were offered and unanimously adopted:

**Resolved**, That we have heard of the death of our illustrious fellow citizen, the virtuous Lafayette, with feelings of the deepest sorrow and regret—

**Resolved**, That the citizens of the United States, now in Paris, will attend in a body the funeral of Lafayette, in testimony of the high respect they entertain for his exalted character, as the undeviating friend and defender of the liberties of their country, and of those of the human race.

**Resolved**, That a committee be appointed to address a letter of condolence to the family of gen. Lafayette, expressive of their deep sympathy in the afflicting dispensation with which it has pleased Divine Providence to visit them.

**Resolved**, That as a further testimony of their high admiration for the virtues and perfect consistency of character of Lafayette, through a long life, and under the most arduous circumstances, they will wear crape upon the left arm for three months.

On the motion of Mr. Brooks, seconded by Mr. Adams, it was then

**Resolved**, That a copy of the foregoing resolutions be communicated by the secretary of this meeting to the family of the illustrious deceased, and that the proceedings of the meeting be published.

On the motion of Mr. French, seconded by Mr. Blow, it was

**Resolved**, That the United States, as far as they are represented at this meeting, each furnish a member to constitute the committee to address the letter of condolence to the family of general Lafayette: whereupon the following gentlemen, representing seventeen states of the union, were, on the motion of Mr. Hayne, seconded by Alex. Claxton, esq. U. S. N. named that committee:

Dr. Wood, of Maine; N. Niles, esq. of Vermont; Charles Brooks, esq. of Massachusetts; J. Dennison, esq. of Connecticut; Mr. Barton and Mr. Brevoort, of New York; Philip Kearney, esq. of New Jersey; Dr. A. B. Tucker, of Pennsylvania; Alexander Claxton, esq. U. S. N. of Maryland; rev. E. S. Mines, of Virginia; Arthur P. Hayne, esq. of South Carolina; Dr. L. A. Dugas, of Georgia; W. P. D'Armsmont, esq. of Indiana; Dr. A. P. Elston, of Kentucky; J. S. Pomer, esq. of Mississippi, and D. Urquhart, esq. of Louisiana.

On the motion of Mr. Townsend, Mr. Barton and Mr. Bradford were *ex-officio* placed on the committee. After a short adjournment, the chairman, in the name of the committee, reported a letter of condolence to the family of general Lafayette, which was unanimously adopted. On the motion of Mr. Hayne, seconded by Mr. Brooks, it was resolved, that an eulogy on the illustrious character of the revered Lafayette, be delivered before the American citizens at Paris. On the motion of Mr. Brewster, seconded by Mr. Niles, it was resolved, that five gentlemen be named by the chair, to constitute a committee of arrangements, to provide for the execution of the preceding resolution: whereupon, Mr. Brewster, Mr. Niles, Mr. Atherton, Mr. Brevoort and Mr. Brooks, were named that committee. It was then resolved, that the proceedings of this meeting be communicated by its secretary to the legation of the United States at Paris, with the request that they may be recorded on the books thereof—and the meeting adjourned.

We understand that M. Lafitte entertained the project of proposing to the chamber of deputies that the body of general Lafayette should be deposited in the pantheon, but renounced it on learning that it was the decided wish of the family that the directions of the deceased, as to his interment, should be scrupulously followed.

All the ministerial papers contain eulogies on this consistent and persevering friend of human liberty. The military honors paid him were those which belong to a general-in-chief.

#### INDIAN ANTIQUITIES.

A subterranean Indian village has been discovered in *Nacoochee valley*, in Georgia, by gold miners, in excavating a canal for the purpose of washing gold. The depth to which it is covered varies from seven to nine feet; some of the houses are imbedded in a stratum of rich auriferous gravel. They are 34 in number, built of logs from six to ten inches in diameter, and from ten to twelve feet in length. The walls are from three to six feet in height, forming a continuous line or street of 300 feet. The logs are hewed and notched, as at the present day. The land beneath which they were found, was covered, at its first settlement by the whites, with a heavy growth of timber, denoting a great antiquity to these buildings, and a powerful cause which submerged them. Cane baskets and fragments of earthenware were found in the rooms. The account is contained in a letter to the editor of the Southern Banner, from which the following further particulars are extracted:

The houses are situated from 50 to 100 yards from the principal channel of the creek; and as no further excavations have

been made, it is more than probable that new and more interesting developments will be made when the land is worked for gold.

A great number of curious specimens of workmanship have been found in situations which preclude the possibility of their having been moved for more than a thousand years. During my mining operations last year, I found, at one time, about one half of a crucible of the capacity of near a gallon. It was ten feet below the surface, and immediately beneath a large oak tree which measured five feet in diameter, and must have been four or five hundred years old. The deposit was diluvial, or what may be termed table land. The stratum of quartz gravel, in which the vessel was imbedded, is about two feet in thickness, resting upon decomposed chlorite slate.

It is not difficult to account for the deposits of those substances in alluvial soil, for the hills are generally very high and precipitous, and from the immense quantity of rain which falls, the streams are swollen to great height, sweeping every thing with them, and frequently forming a deposit of several feet in thickness in a season; but some of the diluvial land is from ten to fifty feet above the present level of the streams. These deposits exhibit appearances of as great attrition as those recently formed.

There was a vessel, or rather a double mortar, found in Duke's creek, about five inches in diameter, and the excavation on each side was nearly an inch in depth, basin like, and perfectly polished. It was made of quartz, which had been once transparent, but had become stained with the iron which abounds in quantity in all this country. In the bottom of this basin was a small depression half an inch in depth and about the same diameter. What its use could have been, is difficult to conjecture. Some suppose it was used for grinding paint, &c. or in some of their plays or games. The high finish, and its exact dimensions, induce me to believe it the production of a more civilized people than the present race of Indians. Respectfully yours,

M. S.

#### ANCIENT OPINIONS.

The Delaware "State Journal" of the 13th June, 1834, says— "A friend has favored us with a number of the first newspaper that was published in Philadelphia—namely, *The American Weekly Mercury*, of July 22, 1742, printed by Andrew Bradford, at the sign of the Bible, in Front street. It is a venerable memorial of the primitive days of the city of brotherly love—a sheet of about nine by six, each page divided into columns. This was the weekly oracle of the citizens of Philadelphia, and of the country round, including Wilmington, New Castle, Chester, &c. We extract an article from this paper which has some application to our own times, and to all times."

And then presents us with the following curious article—

*From the Weekly Mercury of 1742.*

Metthink I could wish that some Author had given us a History of Preferments and Disgraces at a certain Time when one man lorded it over his Country, should be glad to read the Birth, Parentage and Education of all his Tools, with an Account of their eminent Abilities, and the signal Services they perform'd for their Country; and, I fancy, if the last dying Speeches and Confessions of some of them should be annex'd, it would not make the History the less entertaining to the Courtois Reader.

Cardinal de Rentz tells us that there is a Time when to be disgrac'd at Court lessens a Man's Merit in the Opinion of the World; but (says he) there is also a time when to be disgrac'd at Court raises a Man's Character, casts a Lustre over all his good Qualities, and obtains Quarter with the World for all his Faults.

When Government is executed with a just Regard to the Rights of the Subjects at home, and the Glory and Interest of the Nation are maintain'd abroad, it is no Shame for a Man to wish to be in Favour at Court.

When the natural Friends and Allies of a Country are protected and defended, and its Enemies humbled, a Man might reasonably wish to be in Favour at Court.

When Men are prefer'd merely for their Abilities, and laid aside where a Want of Abilities is discover'd, a Man would certainly think it an honor to be in Favour at Court.

When there is a Court composed of Ministers and Counsellors chosen out for their Wisdom and Abilities in the business of the State, of Divines rais'd for their Learning and Christian Piety, and of Soldiers prefer'd for their Valour and Conduct in the Wars; who would not think it an Honor to be in Favour at Court.

On the other side. When the Subjects are oppressed with Taxes for maintaining the Minions of an overgrown Minister in Luxury, it is time for a Man to think it an Honour to be disgrac'd at Court.

When the Protection of Trade is neglected, when Arts, Sciences, and Manufactures are starv'd, and all Kinds of Vice is encouraged, a Man would wish to be disgrac'd at Court.

When a Nation is insulted by a weak and defenceless Enemy, and having more than sufficient Strength to do itself Justice, yet by the Incapacity of those at the Helm, knows not how to use that Strength, a Man need not be ashamed to be disgrac'd at Court.

When the sole executive Part of the Government is usurp'd by some one bold overbearing Man, with scarce Abilities for the lowest, a Man would certainly wish to be disgrac'd at Court.

When a servile Prostitution to the arbitrary Will of this one Man is the Tenour by which every Man holds his Employment, what Man of Spirit can serve, and who that hath the least Feeling for the Wrongs of his Country, or Regard to his own Reputation, but would think it an Honour to be disgrac'd at Court?

#### MR. WISE, OF VIRGINIA.

The following are the concluding paragraphs of a speech of Mr. Wise, in the house of representatives, on Monday, 9th of June, on his motion concerning a restoration of the deposits to the bank of the United States:

Sir, I respectfully ask gentlemen who support the administration in all these measures, if it can possibly be their deliberate policy to adjourn without doing something for relief—not pecuniary relief, that is now but as the dust in the balance—I mean relief of the laws and constitution? I respectfully inquire of the honorable chairman of the committee of ways and means, if any other can be his design or the design of the party with whom he acts, by the proposition of the measure he has reported? Can he or any man expect us to adopt that measure, when it would but confirm the present state of things, but employ the worst of means to effect the very evils complained of, but add the sanction of law to the very violations of law; and servilely grant, yield, and consent to the usurpations of power which we are so loudly called on sternly to deny, refuse, resist and denounce? Does he not, did he not foreknow, that congress will reject this proposition to strip it of all its powers, and transfer them to the executive? And if congress does reject it, as it is bound by law and duty to do, do gentlemen flatter themselves that they can return to their constituents with the insulting excuse that the administration has done its part for the people? I impudently ask gentlemen, if this is to be their "ultimatum"? If so, I venture to predict that it will be the "ultimatum"—of their fate! Sir, this may be the croaking of prophecy, and they may feel secure as a tower of strength in their present possession of power. But, if they continue to mock the complaints of the people; if they continue in that desperate course which blindly plunges from bad to worse; if they do not quickly retrace their steps of folly, repent of past errors (which they may now do without making confession); if they persist in this sacrilegious policy which pollutes the sacred vessels of the sanctuary, they will yet have to tremble, like Belshazzar, at the hand writing on the wall!

Sir, in the language of Fisher Ames, "if my powers were commensurate with my zeal, I would raise my voice to such a pitch of remonstrance?" against this cruel injustice to a generous people, this mischievous policy of those in whom that people have confided, this flagrant outrage upon the laws and constitution, "that it should reach every log house beyond the mountains." I would say to the inhabitants of this land, to its utmost borders, rise! in your majesty and sovereignty, and hurl from his place of power every public man within the reach of a ballot box who has sought to perpetrate these atrocious evils upon the body politic, or who has been supine and inactive, whilst others have been guilty of their perpetration? But, sir, as I cannot be heeded by the nation, beyond the district of my own constituents, I would speak with a "still small voice" to those who are near me. In my present relation to the president I cannot condescend, as an independent representative of a people yet free, to offer an apology for the course I have been driven to pursue by the late measures of the executive. I claim rather an atonement from the man whom I supported for the presidency, for such acts of misrule. But if I was permitted to expostulate with him, as still a sincere personal friend, I would warn him to "shake off the serpent from his hand, ere poison and death ensue from the bite of the reptile!"

I will say to my personal friends in the administration rank: "I am no deserter, and have a right to speak to a brother soldier. It is true I have left your camp, not because I disliked the corps to which I belonged, but because there were *vermin* there; and I enlisted under the banners of the 'Old Chief' to fight for my country, and not against her most sacred institutions and dearest rights. I call upon you who are faithful to him to save the time-honored warrior from the deep damnation of the bitter curses of an injured and insulted people, groaning under the pillaging policy of 'orderly sergeants,' reckless alike of the country's welfare and of the president's popularity, enriched with the 'spoils of victory,' and flushed to madness with the intoxication of repeated triumphs!"

Sir, I will say to members of whatever party: "Show to the world that if there are too many who love to be tempted to forget their trusts, by a well managed venality, there are a few who find a greater satisfaction in being thought beyond its influence."

I will say to the people: "Ho! every patriot to the rescue!" And "if the worst comes to the worst," I would put up to the God of nations the prayer of Warsaw's last champion—

"Oh heaven! my bleeding country save!"

#### NEW HAMPSHIRE RESOLUTIONS.

The following are the resolutions referred to in the proceedings of the senate of Monday last. They passed in the house of representatives of New Hampshire 163 to 62, and the senate, yeas 19, nays none.

Resolved by the senate and house of representatives in general court convened, That we approve of the course of the administration of the general government, and that the president of the

U. States, by his ardent endeavors to restore the constitution to its original purity, by his stern integrity and unbending firmness in resisting the approach of corruption in every protean shape, in staying the lavish expenditure of the public money in an unconstitutional system of internal improvements by the national government, in settling the tariff on a more equitable basis, in his prompt resistance to all measures tending to the dissolution of our union, in his veto on the recharter of that dangerous institution, the United States bank, and in the unyielding stand which he has taken against the recent alarming proceedings of that institution, has proved himself to be a true disciple of Thos. Jefferson the father of American democracy, and has greatly increased the debt of gratitude due to him from the American people.

And be it further resolved, That in the removal of the late secretary of the treasury the president exercised a power conferred upon him by the constitution, and which has been recognized by all his predecessors in office; and which it was his duty to exercise if he believed that officer to be unworthy or incapable, or that he was pursuing measures detrimental to the interests of the public.

And be it further resolved, That in removing the deposites of public money from the bank of the United States, the present secretary of the treasury, has violated neither the letter nor the spirit of the charter of the bank, and has pursued a course, the expediency of which was clearly indicated by the decision of the people in the last presidential election, against the recharter of the bank, and which was imperiously demanded by the profligate conduct of the officers of that institution.

And be it further resolved, That the bank of the United States ought not to be rechartered—that, unconstitutional in its creation—it has proved itself to be an institution of the most deadly hostility to the principles of republicanism, that we view with indignation its desperate struggles to obtain political power by a shameless and barefaced course of bribery and corruption, and that we witness with alarm the attempts made by its advocates to set at defiance the representatives of the people, to veil its transactions in secrecy and darkness, and to justify proceedings which should they be upheld, must end in subjecting the people of the United States to the dominion of a gigantic moneyed monopoly.

And be it further resolved, That the late protest of the president of the United States against the extraordinary and unprecedented resolution of the senate, pronouncing him guilty of a most flagrant offence without either hearing or trial, was a measure justified by his personal right to vindicate his own character from unmerited reproach, and by his imperative official duty to defend the executive branch of the government while in his charge, from all intemperate assaults or unconstitutional encroachments, and that the senate, in passing such a resolution, violated the first principles of ordinary justice, and deliberately unfitted themselves for the proper discharge of those judicial duties, which, by the constitution, (if the charges in their resolution were true), they were bound to believe the house of representatives would soon invoke them to perform.

And be it further resolved, That our senators in congress be, and they hereby are instructed to vote that the resolution, passed by the senate on the 28th day of March last, "that the president, in the late executive proceeding in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both," be expunged from the journal of the senate.

And be it further resolved, That we approve of the course of the delegation from this state in the congress of the United States, with the exception of that of the hon. Samuel Bell.

And be it further resolved, That the hon. Samuel Bell, since his re-election to the senate of the United States, has pursued a course in defiance of the wishes of the people of New Hampshire, that he has long misrepresented and how misrepresented the opinions of a majority of his constituents, and that he be, and hereby is requested to resign his seat agreeably to the solemn pledge heretofore made by him.

And be it further resolved, That the secretary of state be and he hereby is directed to furnish a copy of these resolutions to the president and vice president of the United States, and to each of the heads of departments, to the speaker of the house of representatives, and to each of our senators and representatives in the congress of the United States.

#### BUNKER HILL MONUMENT ASSOCIATION.

At the annual meeting the Bunker Hill Monument association, held on the 17th June, at Fanenil Hall, the following report, having been read and accepted, was ordered to be published.

##### ANNUAL REPORT

To the members of the Bunker Hill Monument association, at their meeting, on the anniversary of June 17, 1834.

Since the last anniversary, the board of directors have made every exertion in their power to advance the purposes of the association. The general depression, arising from the state of the country, has been unfavorable in these exertions—there is little reason to doubt, that in the ordinary state of prosperity, the full amount of the subscriptions desired, would have been obtained. Public occurrences have, however, had this beneficial effect—they have turned the attention of the whole people to the principles of the American revolution; and in this view, Bunker Hill Monument holds a higher rank, in the public esteem, than ever.

The Massachusetts Charitable Mechanic association have persevered in their labors, and expect to raise a sufficient sum to complete the monument, to the elevation which the directors have agreed on. The cost of doing this has been ascertained by an intelligent and careful committee.

The only obstacle to going on with the work immediately, and finishing the monument as soon as the work can be done, is the debt incurred for buying the battle ground, in the hope, that this ground might be kept open and sacred forever. The board of directors have reluctantly come to the conclusion, that the ground must be sold, reserving a square of four hundred feet, with streets fifty feet wide on the sides thereof. It was hoped that the land around the square, and the 127,000 feet not on the square, divided into shares of five hundred dollars, would sell for the sum of twenty five thousand dollars. Such sale has not yet been effected, but it is hoped it will be.

The land is supposed to be worth the money for which it is offered—and the interest upon that money, if the power to redeem should arise;—and if no redemption should occur, that the purchasers would be fully repaid in the land itself. There is another resource;—if the monument be completed, the annual visitors may be computed at ten thousand in number, and if each visitor, (as is customary elsewhere, as to public works), should pay fifty cents, the monument might pay for the land.

On the whole, the association and the public may be encouraged that the monument will be completed, that when completed, it will be an object of such proud exultation to this age, and to the whole country, that all who have aided to raise it will derive the highest gratification in the reflection that the work is done. It may hereafter be said of this monument, with more propriety and more feeling than the Greeks were accustomed to speak of their statue of Olympian Jupiter, that "to have lived, and to have died, without having seen it, was to have lived in vain."

JOSEPH T. BUCKINGHAM,  
WILLIAM S. DULIVAN,  
JOHN SKINNER,  
EENEZER BREED,  
GEORGE DARRACOTT,  
NATHANIEL HAMMOND,  
WILLIAM W. STONE,  
JOSEPH JENKINS,  
JOHN P. THORNDIKE.

*Executive committee of the Bunker Hill monument.*

On motion, it was

*Resolved*, That the president of this association, in the name and behalf thereof, be and he is hereby authorised and empowered to convey in fee simple so much of the land under and near the monument, on Bunker Hill, in Charlestown, as the said president and directors, or a majority of them, shall deem expedient—also, the said monument, to the commonwealth of Massachusetts, or to such corporation, person or persons, at such time, and on such terms and conditions as a majority of said president and directors shall, in writing, approve.

*From the Boston Courier of June 18.*

At the meeting yesterday of the Bunker Hill monument association.

George Darracott, esq. of the building committee, informed the meeting, that the work of completing the monument had this day commenced at the quarry in Quincy, under the superintendence of Mr. Solomon Willard; that only seventy-eight stones were now necessary, together with those already prepared, to raise the monument double its present elevation, that is to a height between sixty and seventy feet, and that it was expected so much would be completed this season.

Mr. Darracott also remarked, that for beauty of material, accuracy of architectural design, and excellence of workmanship, no work in the world can be considered superior to this monument, so far as it has gone on; and that the work has been done for less money, than it could again be done for, and that no credit is due to the suggestion that the work has cost more money than it ought to have cost.

Mr. Darracott further stated, that the doing of this work so well, and for so little money, is to be attributed almost exclusively to Mr. Willard, who has not only devoted his time and eminent ability, but has actually contributed one thousand dollars in money to building the monument.

#### FREEMASONS IN RHODE ISLAND.

*From the Providence Journal.*

CHARTER OF THE GRAND LODGE OF RHODE ISLAND SURRENDERED.

At a meeting of the grand lodge of the most ancient and honorable society of free and accepted masons for the state of Rhode Island, &c. holden at Mason's Hall, Providence, March 17th, 1834, the following resolutions and memorial, were adopted.

*Resolved*, That this grand lodge surrender to the general assembly of this state, at their next May session, to be holden at Newport, within and for said state, the charter of incorporation heretofore granted by said general assembly to this grand lodge.

*Resolved*, That the following memorial and act of surrender, be signed in the name and behalf of this grand lodge, by the grand master, deputy grand master, grand wardens, grand treasurer, and grand secretary of the same, and that the corporate seal of this grand lodge, be affixed thereto, in testimony of the assent of this corporation to the aforesaid surrender.

Attest,

SAMUEL W. WHEELER, grand sec'y.

To the honorable general assembly of the state of Rhode Island next to be holden at Newport, within and for said state, on the 1st Wednesday of May, 1834.

The grand lodge of the most ancient and honorable society of free and accepted masons for the state of Rhode Island and Providence Plantations, respectfully represent, that by an act of the general assembly, passed at their May session, 1613, a charter of incorporation was granted to your memorialists, constituting them a body politic and corporate, under the name and style of the grand lodge of the most ancient and honorable society of free and accepted masons, for the state of Rhode Island and Providence Plantations,—that your memorialists have, from that time to the present, continued and acted under the authority granted them as a body corporate and politic, and in all things have conformed and been obedient to the laws of the state, that they now relinquish into the hands of this general assembly, the aforesaid charter of incorporation, granted to them as aforesaid, with all the powers, privileges and franchises thereunto belonging or in any wise appertaining, reserving to, and claiming for themselves as individuals, all those rights and privileges which belong in common to every citizen in this republic.

In testimony whereof the said grand lodge have hereunto caused their corporate seal to be affixed, this 30th day of April, A. D. 1834.

By order and in behalf of the grand lodge.  
Signed,  
JOSEPH S. COOKE, grand master.  
SYLVESTER KNIGHT, D. grand master.  
BARZILLAI CRANSTON, l. s. G. S. warden.  
CYRUS FISHER, G. J. warden.  
PARDON CLARKE, grand treasurer.  
SAMUEL W. WHEELER, grand secretary.

#### THE MORMONS IN MISSOURI.

Current information from Missouri confirms the apprehensions entertained of the breaking out of a furious civil war between the Mormons and the residents of Jackson county, in the state of Missouri. The Fayette Monitor, of the 21st, says "By our next number we anticipate something, (on the Mormon controversy), in an authentic form. The people may look for the worst."

The Missouri Enquirer, (printed at Liberty), of the 18th June, says, that, on the Monday preeding, a committee on the part of the citizens of Jackson county, and one in behalf of the Mormon people, met at Liberty, to take into consideration the subject of compromising the difficulties which occurred in Jackson county last autumn. No compromise was effected, however, notwithstanding the exertions of the people of Clay county, (in which Liberty is situated), a committee of whom were appointed to act as mediators. On the contrary, the excitement among the people was such, that the conference was, in consequence of it, obliged to be adjourned. The proposition made by the people of Jackson county to the Mormons, who were driven out of the county last autumn, and are about to re-enter it with additional numbers, in arms, is, to buy all the lands and improvements of the Mormons, at a valuation by disinterested arbitrators, to which valuation one hundred per cent. shall be added, to be paid within thirty days thereafter; the Mormons thereupon to leave the county; and not hereafter to attempt to enter it, individually or collectively. Or, the citizens of Jackson county to sell their lands to the Mormons on exactly reciprocal terms. To neither of these propositions were the committee of the Mormons authorised to assent, nor does there appear any probability that either of them will be assented to. The Enquirer, after narrating these facts, gives utterance to the following melancholy foreboding: "It is a lamentable fact, that this matter is about to involve the whole upper country in civil war and bloodshed. We cannot, (if a compromise is not agreed to before Saturday next), tell how long it will be before we shall have the painful task of recording the awful realities of an exterminating war." The citizens of Jackson, it appears, though inferior in numbers to the Mormons, are resolved to dispute every inch of ground; and the chairman of their committee declared, at the meeting in the court house of Clay county, appealing to heaven for the truth of his assertion, that "they would dispute every inch of ground, burn every blade of grass, and suffer their bones to bleach on their hills, rather than the Mormons should return to Jackson county."

The following account of a fatal accident, which occurred on the evening after this conference, evidently refers the disaster to the enmity existing between these exasperated parties:

*From the Missouri Enquirer of June 18.*

*Independence, Mo. June 17th, 1834.*

Messrs. Kelly & Davis: Having understood that you have received intelligence of the sinking of the ferry boat at Everett's ferry, on the Missouri, last evening, together with a statement of the sufferings of those who happened to be on board, we, a part of those who escaped, have thought proper, for the correct information of yourselves and others, to give a statement of the facts as they actually occurred.

Eight of the citizens of this county, a majority of whom was a part of the committee that waited on the Mormons, in your town, on yesterday, embarked on board of the boat at about nine o'clock, it being perfectly clear, and the moon shining as bright as we ever saw it. Upon our embarking, the boat appeared to be in as good order as we ever saw it—the false floor was tight and good. After our having left the shore some two hundred yards, in an instant, as it were, the boat was filled



with water. We are confident the boat struck nothing. Our impressions at that time were, and still are, that something had been done to the boat to sink her, as it was known that the committee from this county would cross at that point last night.

The names of the persons lost are—James Campbell, William Everett, David Linnell, Jefferson Cary, and Mr. Braddy—the two last were the ferry-men.

Those escaping—Smallwood Noland, Richard Fristoe, Smallwood V. Noland, Samuel C. Owens, Thomas Harrington, and a Mr. Frost—the last being the third ferryman. Those who escaped, we assure you, suffered much. Respectfully, your obedient servants,

SAMUEL C. OWENS,  
S. V. NOLAND,  
THOMAS HARRINGTON.

YEAS AND NAYS

On the vote of thanks to Mr. Stevenson.

Mr. Speight submitted the following resolution:  
*Resolved*, That the thanks of this house be presented to the honorable Andrew Stevenson, late speaker, for the firmness, dignity, skill and impartiality with which he filled the office of speaker, during the present session.

Mr. Reed desired the yeas and nays: which were ordered. The question being taken, the resolution was agreed to.

YEAS—Messrs. John Adams, John J. Allen, Wm. Allen, Bean, Beardsey, Beaman, Blair, Boeckle, Bodle, Boom, Bouldin, Bunch, Cagle, Cambreng, Carmichael, Carr, Casey, Chaney, Chinn, S. Clark, Clay, Collier, Connor, Framer, Davenport, Day, Dickerson, Dickinson, Danlap, Felder, Forrester, Fowler, Wm. K. Fuller, Gholson, Gillet, Gilmer, Joseph Hall, Halsey, Hamer, Hannegan, Joseph M. Harper, Harrison, Huthaway, Hawkins, Hawes, Heath, Henderson, Abel Huntington, Inge, N. Johnson, Kavanagh, Kinnard, Lansing, Laporte, Lake Lea, Thos. Lee, Leavitt, Lyon, Lytle, A. Mann, J. Y. Mason, Moses Mason, McDuffie, McIntire, McKay, McKim, McKinley, McVean, Miller, Muhlenberg, Murphy, Osgood, Page, Parker, Patton, Patterson, Dutee J. Pearce, F. Pierce, Polk, Schenck, Schley, Shinn, Charles Slade, Smith, Speight, Stoddert, Sutclerland, William Taylor, Francis Thomas, Thomson, Vanderpool, Wagener, Ward, Wardwell, C. P. White—97.

NAYS—Messrs. J. Q. Adams, Heman Allen, Archer, Barber, Binney, Burges, Campbell, Chambers, Denny, Duncan, Evans, E. Everett, H. Everett, Ewing, Fillmore, Garland, Grayson, Griffin, Hiland Hall, Hardin, Jas. Harper, Hazeltine, Heister, Jackson, Jarvis, Wm. Cost Johnson, King, Lewis, Lincoln, Martindale, McKennan, Mercer, Milligan, Pinckney, Potts, Reed, Kencher, Selden, William B. Shepard, Spangler, Steele, Tweedy, Vinton, Watnough, E. D. White, F. Whittlesey, Elisha Whittlesey, Wilde, Williams—49.

LAWS OF THE UNITED STATES.

An act to revive and amend "an act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth of July, eighteen hundred and thirty-two.

*Be it enacted*, &c. That an act entitled "an act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, eighteen hundred and thirty-two, which said acts expired on the second day of March, eighteen hundred and thirty-four, be, and the same are hereby revived, and shall continue in force for three years from and after the passage of this act.

Sec. 2. *And be it further enacted*, That if any surety, or co-surety, of any debtor who is, or shall become, an applicant for relief under the provisions of the acts recited in the preceding section of this act, shall be dead, the consent of the legal representative or representatives of such deceased surety or co-surety, shall be received, and entitle the applicant to relief, in like manner as the consent of a living surety, or co-surety, would do by the provisions of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two; and if the surety or co-surety of any such debtor shall be absent in parts unknown, or if the consent of the legal representative or representatives of any deceased surety, or co-surety, cannot be obtained and the property or estate of any such deceased or absent surety or co-surety, shall not be sufficient to pay the debt due to the United States, and the secretary of the treasury shall be satisfied by proof of these facts, he shall be authorised in all such cases, to grant such relief or discharge as the debtor applying for the same may be entitled to, according to the provisions of the acts which this act is intended to revive and amend, upon the condition that such debtor shall not be discharged thereby from his or her legal liability to such absent surety or co-surety, or to the estate of such deceased debtor, for any part of the debt due to the United States which may hereafter be paid by or out of the estate of any such absent or deceased surety or co-surety.

Sec. 3. *And be it further enacted*, That all discharges which have heretofore been granted by the secretary of the treasury to any principal debtor, with the consent of the legal representative or representatives of any deceased surety or co-surety, shall be as valid as though such surety or co-surety had been alive, and his or her consent obtained, according to the letter of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two.

Sec. 4. *And be it further enacted*, That the secretary of the treasury shall be authorised to cause satisfaction to be entered upon all judgments against such insolvents as have heretofore been, or may hereafter be, relieved under the provisions of the acts which this act is intended to revive and amend; or under any other and former act of congress for the relief of persons imprisoned for debts due to the United States: *Provided*, the district judge of the district in which such judgments are on the record, shall certify that he is satisfied that the debtor is possessed or entitled to no property liable to be applied to satisfaction of said judgments, and that the interest of the government does not require that such judgments should remain unsatisfied. In every case of application for such certificate to a judge at his chambers, ten days notice shall be given to the district attorney for the district where the application is made.

Approved June 7, 1834.

An act to enable the president to make an arrangement with the government of France in relation to certain French seamen killed or wounded at Toulon, and their families.

Whereas certain French seamen were unfortunately killed and others wounded, by firing a salute from the American frigate United States, in the harbor of Toulon, on the first day of May last, and whereas it is proper to manifest the sensibility with which the disastrous accident is viewed by the government of the United States, therefore

*Be it enacted by the senate and house of representatives of the United States in congress assembled*, That the president of the United States be and he hereby is authorised and empowered to enter into an arrangement with the government of France for the payment of an annual sum of twice the amount receivable by the navy pensioners of the same or a similar class of the wounded who survive, and to such relatives of those who were unhappily killed as aforesaid, as the president may deem it expedient to include in this provision, which said sum shall be paid on the earliest day practicable after the proposed arrangement shall be concluded, and on the same day in each year thereafter during the respective lives of the persons to whom granted.

Sec. 2. *And be it further enacted*, That a sum of money sufficient to enable the president to carry the aforesaid arrangement into effect be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Approved, June 28th, 1834.

GOLD COIN LAWS.

An act concerning the gold coins of the United States, and for other purposes.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled*, That the gold coins of the United States shall contain the following quantities of metal, that is to say: each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; each half eagle, one hundred and sixteen grains of pure gold, and one hundred and twenty nine grains of standard gold; each quarter eagle shall contain fifty-eight grains of pure gold, and sixty-four and a half grains of standard gold; every such eagle shall be of the value of ten dollars; every such half eagle shall be of the value of five dollars; and every such quarter eagle shall be of the value of two dollars and fifty cents. And the said gold coins shall be received in all payments when of full weight, according to their said respective values; and when of less than full weight, at less values, proportioned to their respective actual weights.

Sec. 2. *And be it further enacted*, That all standard gold or silver deposited for coinage after the thirty first day of July next, shall be paid for in coin, under the direction of the secretary of the treasury, within five days from the making of such deposit, deducting from the amount of said deposit of gold and silver one-half of one per centum: *Provided*, That no deduction shall be made unless said advance be required by such depositor within forty days.

Sec. 3. *And be it further enacted*, That all gold coins of the United States, minted anterior to the thirty-first day of July next, shall be receivable in all payments at the rate of ninety-four and eight tenths of a cent per pennyweight.

Sec. 4. *And be it further enacted*, That the better to secure a conformity of the said gold coins to their respective standards as aforesaid, from every separate mass of standard gold which shall be made into coins at the said mint, there shall be taken, set apart by the treasurer and reserved in his custody, a certain number of pieces, not less than three; and that once in every year the pieces so set apart and reserved shall be assayed under the inspection of the officers, and at the time and in the manner now provided by law; and if it shall be found that the gold so assayed shall not be inferior to the said standard hereinbefore declared, more than one part in three hundred and eighty-four in fineness, and one part in five hundred in weight, the officer or officers of the said mint whom it may concern shall be held excusable; but if any greater inferiority shall appear, it shall be certified to the president of the United States, and, if he shall so decide, the said officer or officers shall be thereafter disqualified to hold their respective offices: *Provided*, That if, in making any delivery of coin at the mint in payment of a deposit, the weight thereof shall be found defective, the officer concerned shall be responsible to the owner for the full weight, if claimed at the time of delivery.

Sec. 5. *And be it further enacted*, That this act shall be in force from and after the thirty first day of July, in the year one thousand eight hundred and thirty-four.

Passed the house of representatives, June 21, 1834.

Attest: W. S. FRANKLIN, *clerk house rep.*

An act regulating the value of certain foreign gold coins within the United States.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled*, That from and after the thirty-first day of July next, the following gold coins shall pass current as money within the United States, and be receivable in all payments, by weight, for the payment of all debts and demands, at the rates following, that is to say: the gold coins of Great Britain, Portugal and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France, nine tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rate of eighty-nine cents and nine-tenths of a cent per pennyweight.

Sec. 2. *And be it further enacted*, That it shall be the duty of the secretary of the treasury to cause assays of the aforesaid gold coins, made current by this act, to be had at the mint of the United States at least once in every year and to make report of the result thereof to congress.

Passed the house of representatives, June 21, 1834.

(Signed) W. S. FRANKLIN, *clerk.*

#### TUE EXISTING LAW.

An act regulating foreign coins, and for other purposes.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled*, That from and after the 1st day of July next, foreign gold and silver coins shall pass current, as money, within the United States, and be a legal tender, for the payment of all debts and demands, at the several and respective rates following, and not otherwise, viz: The gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains of the actual weight thereof; the gold coins of France, Spain and the dominions of Spain, of their present standard, at the rate of one hundred cents for every twenty-seven grains and two-fifths of a grain, of the actual weight thereof. Spanish milled dollars, at the rate of one hundred cents for each dollar, the actual weight whereof shall not be less than seventeen pennyweights and seven grains; and in proportion for the parts of a dollar. Crowns of France, at the rate of one hundred and ten cents for each crown, the actual weight whereof shall not be less than eighteen pennyweights and seventeen grains, and in proportion for the parts of a crown. But no foreign coin that may have been, or shall be, issued subsequent to the 1st day of January, one thousand seven hundred and ninety two, shall be a tender, as aforesaid, until samples thereof shall have been found, by assay at the mint of the United States, to be conformable to the respective standards required, and proclamation thereof shall have been made by the president of the United States.

Sec. 2. *Provided always, and be it further enacted*, That at the expiration of three years next ensuing the time when the coining of gold and silver, agreeably to the act, entitled "an act establishing a mint, and regulating the coins of the United States," shall commence at the mint of the U. States, (which time shall be announced by the proclamation of the president of the United States,) all foreign gold coins, and all foreign silver coins, (except Spanish milled dollars and parts of such dollars) shall cease to be a legal tender as aforesaid.

Sec. 3. *And be it further enacted*, That all foreign gold and silver coins, (except Spanish milled dollars, and parts of such dollars) which shall be received in payment for moneys due to the United States, after the said time when the coining of gold and silver coins shall begin at the mint of the United States, shall, previously to their being issued in circulation, be coined anew, in conformity to the act, entitled "an act establishing a mint and regulating the coins of the United States."

Sec. 4. *And be it further enacted*, That from and after the 1st day of July next, the fifty fifth section of the act, entitled "an act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandise, imported into the United States," which ascertains the rates at which foreign gold and silver coins shall be received for the duties and fees to be collected in virtue of the said act, be, and the same is hereby repealed.

Sec. 5. *And be it further enacted*, That the assay, provided to be made by the act, entitled "An act establishing a mint, and regulating the coins of the United States," shall commence, in the manner as by the said act is prescribed, on the second Monday of February, annually, any thing in the said act to the contrary notwithstanding.

Approved, February 9, 1793.

#### MR. BARRY'S ADDRESS.

*Address of William T. Barry, postmaster general, to the people of the United States.*

Although the opponents of the administration have made me the object of unexampled persecution since I came into office, I have hitherto remained silent, willing to submit to the severest scrutiny of my public conduct, confiding in the justice and intelligence of the American people. That confidence is

undiminished. But the extraordinary conduct of the majority of the committee of the senate on post offices and post roads in conducting their recent examinations; the personality, misrepresentation and falsehood, which characterize their report, make it my duty to notice it in an especial manner; to expose its errors—refute its falsehoods—and repel with indignation its base personal allusions and imputations. Preparatory to this, it will be necessary, for a proper understanding of the subject, to notice so much of the post office law as confers power on the postmaster general and defines his duties.

The first section of the act of March 3, 1825, "to reduce into one the several acts establishing and regulating the post office department," ordains that "the postmaster general shall establish post offices and appoint postmasters at all such places as shall appear to him expedient, on the post roads that are or may be established by law." "He shall provide for the carriage of the mail on all post roads that are or may be established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper." "He may direct the route or road, where there are more than one, between places designated by law for a post road, which route shall be considered the post road." "He shall pay all expenses which may arise in conducting the post office and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue and management of the general post office." The fourth section of the same law requires "that the postmaster general shall cause a mail to be carried from the nearest post office on any established post road, to the court house of any county which is now or hereafter may be established in any of the states or territories of the United States, and which is without a mail."

In regard to the powers conferred, and the duties imposed upon the postmaster general it will be seen that this department is anomalous from all others in the government. In every other department, not only the object but the maximum of every expenditure is defined by law, and subject to an annual appropriation from the treasury. In this department, no appropriation from the treasury is made for its general objects. It rests upon its own resources alone. No limitation in this respect is prescribed by law; but all is left to the discretion of the postmaster general. He is bound to provide for the conveyance of the mail, and to pay the expense; but the manner and the frequency of conveying it, consequently the amount of expense which it may incur, are subject to his discretion alone. He cannot draw money from the treasury without appropriation by law, nor involve the responsibility of the treasury for any of his engagements; but so far as the responsibility of his own department will sustain him, he does not transcend the power vested in him by law. If the expenses of his department shall any time exceed its revenues, and if he shall anticipate so much of its revenues as to meet that excess, so long as he does not involve any responsibility beyond that of his own department, he does not violate the law. And the power which he exercises is, by law, invested immediately in him. He is, like all other executive officers, amenable to the president for the faithful discharge of the duties of his office; but the law confers directly on him, an independence of power which is not so fully recognized in any other department of the government. The law, in these respects, is similar to what it was from the beginning of the present government. All the authority of the law is vested in the postmaster general alone, and he alone is held responsible for all the transactions of the department. Every other department of the government is organized with its proper sub-officers, appointed by the president and senate, who superintend contracts or engagements which involve liabilities, and the adjustment of accounts before their payment, and whose acts have the sanction of law. This department was small in its beginnings; which rendered such organization of little importance; but its growth, especially within the last few years, has been beyond all anticipation. The rapid improvements of our country, the spreading of its population over its widely extended domain, and the increasing fondness for intelligence, even among the most distant frontier settlements, have called for a progressive increase of mail facilities beyond all former example; and the responsibility of granting or denying them—is in the postmaster general alone. To refuse them, would be withholding from the people a benefit which they conceive it their right to claim, under a republic where security depends on popular intelligence; to grant them, would confer on the people a benefit of incalculable value, though it might subject the postmaster general to animadversions from those who did not themselves need them, or whose party prejudices were paramount to every other consideration.

The majority of the committee have stated, that the late postmaster general, in his report of November 13, 1827, expressed an opinion that the department, by a vigilant administration of its affairs, would be able to supply all the wants of the community, and in a few years to pay into the treasury an annual sum of \$500,000; and they add, "your committee entertain no doubt, that had its affairs been conducted prudently, with a view to the public interest, the anticipation would at this time have been realized." Here, their object evidently is, to charge upon the mismanagement of the department, while under my administration, the difference between the present condition of its finances and an ability to pay \$500,000 annually, into the treasury. This charge, the committee knew at the time of making it, if it contained a shadow of truth or justice, rested against my predecessor in office, and not against me. They had the facts

in evidence before them, that the late postmaster general in his next report, dated November 17, 1828, showed, that instead of saving for the treasury \$500,000 the expenses of his department, from the 1st July, 1827, to the 1st July, 1828, were upwards of \$25,000, more than all its revenues for the same period; and that he had entered into contracts to take effect from the 1st of January, 1829, which involved the department in an expense, for the period of only six months from the 1st of January to the 1st July, 1829, of \$19,778 55 more than all its revenues for the same time; that the expenses of the department for the year commencing on the 1st of July, 1828, were \$74,714 15 more than its revenues; and that this excess of expenditure, together with the losses sustained, had diminished the finances of the department within one year, to the amount of \$101,256 03. In this state of things, I had no agency. It was produced before I came into office. The late postmaster general, in his report of November, 1828, gave this reason for his change of policy: "As congress at their last session declined making any appropriation of the surplus funds of the department, with the expectation, as was believed, that they should be applied in diffusing facilities throughout the union, and increasing them where required by the public interest, an augmentation to the conveyance of the mail, to five hundred and thirty-seven thousand two hundred and sixty-four miles in stages, and two hundred and sixty-one thousand seven hundred and four miles on horseback, making a total of seven hundred and ninety-eight thousand nine hundred and sixty miles, has been made the past year." He also added: "It is believed to be good policy to keep the funds of the department actively employed, extending its operations until the reasonable wants of every community shall be supplied." This policy whether good or bad, it will be seen, was introduced by my predecessor. The incurring of responsibilities to a large amount beyond the revenues of the department, originated with him, or if before his day, it was adopted by him in the latter part of his administration, and the facts were known to the committee when the majority of them reprobated the measure, and by exhibiting the subject in a deceptive light, endeavored to cast the imputed odium on me.

In this condition I found the department. Its responsibilities were involved for years in prospect, to an amount of nearly a hundred thousand dollars a year beyond its revenues. The late postmaster general expressed to me, in a letter, his views of the proper and successful mode of administering the department. The following is an extract of his letter to me, of the 31st of March, 1829:

"The expenditures of the department this year will exceed the receipts, as was the case last year: but the increase of receipts will show the rapid advancement of the department. It was deemed good policy to permit the expense to go beyond the receipts, in order that a part of the surplus of former years might be absorbed. It is the true policy, to keep the funds active, and never suffer a large surplus to accumulate. The above remarks are made, because some persons are ignorant enough to suppose that the department is sinking, provided its receipts do not in the current year, equal or exceed the expenditure."

Acting on this view, I proceeded. Relying upon the correctness of the statements which the books exhibited, my annual reports to the president were based upon them. The revenues increased beyond all former example, and in a progressive ratio till within the last year. My estimate for the increase, from the 1st July, 1833, was founded upon the increase of the preceding year; but it will fall short of that estimate about one hundred thousand dollars. This may be, in some degree, owing to other causes; but it is principally owing to the extension of the franking privilege to members of congress, during the whole year; which privilege was obtained by a clause introduced by way of amendment to the general appropriation law, passed on the eve of the last session of congress, and which secures the privilege not only to members elect, but also to those whose terms have expired, for months after they have gone out of office. The great abuse of the franking privilege, among members of congress, while in session, is undeniable, and from the enormous amount of expenses for the delivery of free letters, it is highly probable that the abuse is continued during the recess. The exercise of this privilege, not only deprives the department of the postage on letters thus sent, but it costs the department two cents, allowed by law to postmasters, for the delivery of each free letter. It has happened that a post office, which before yielded a revenue to the department, of fifty or sixty dollars a year, has, since the extension of this privilege, cost the department upwards of a hundred dollars for the delivery of free letters within one quarter; and it would be but a moderate calculation to estimate the loss to the department, by its extension, at \$100,000 a year.

In receiving proposals for transporting the mail, it appears always to have been the custom of the former postmaster generals, to consider all propositions for improvements beyond what have been called for in the advertisements, and if deemed more eligible, to accept them; or after accepting the bids, for performing according to advertisement, to adopt the improved bids. The benefits resulting from the custom, are often too great to be refused.

Contracts are ordinarily made for a term of four years. During their pendency, such changes take place in the country, especially in the new states, as to render extensive alterations and improvements absolutely necessary. Places unknown in the beginning, within half that period spring up into importance.

Other places, requiring but light weekly mails in the beginning, become so improved in point of trade and population, as to require frequent and heavy mails. In such cases, the original contracts are made the basis of allowance for the additional service, and the improvements are made in conformity with the earnest wishes of the people, expressed by their petitions, and by the pressing importunities of members of congress. The conveyance of mails in their multitude of branches, is a matter of great importance to their harmony; and it frequently happens, that an increased expedition, or a change in the times of the arrival and departure of one mail, requires a change of schedule in twenty others; and it will sometimes happen that some one among the number, in order to keep a proper connexion between very important mail routes, will be required to run with such increased expedition, and at such times, as will subject the contractor to a great additional expense. The law gives to the postmaster general full power to provide for such cases; and it is a condition stipulated in all contracts, as well those made by former postmaster generals, as those of modern date, that the expense incurred by such changes, shall be defrayed by the department.

The correctness of the method of keeping the accounts, which exhibited the annual expense of transportation, I had never suspected. It was natural to take it for granted that a system which had been adopted from the earliest existence of the department, and had continued unchanged to the present time, was correct. Had it not proved defective the expense of the department would not have been permitted to absorb all its revenues. The derangement was superinduced by this erroneous system, and the consequent embarrassment created the necessity of resorting to temporary loans. The first loan was obtained in anticipation of the revenues to be collected, before a suspicion existed of the imperfection of the system.

The subsequent loans were essential to keep the mail in operation. These loans were effected upon my own application, on the credit and responsibility of the department. The authority vested in me by the post office law under which I acted, was deemed sufficient to justify the course in a legal point of view; and the exigences of the case rendered it necessary. The legal right of the postmaster general to incur debt upon the credit of the department, has been denied by the majority of the committee. They state, that "the postmaster general has, without warrant of law, borrowed from banks large sums of money, on interest, for the purpose of sustaining it;" (the department.) The post office department is required to act upon its own resources; and these resources are, by law, placed at the disposal of the postmaster general, independent of any other department of the government. He is required, on these resources, to provide for the carriage of the mail on all post roads that are or may be established by law. He is required, from these resources, to pay all expenses which may arise in conducting the post office and in conveying the mail, and all other necessary expenses arising in the collection of the revenue, and management of the general post office. A law is passed by congress, creating more than 15,000 miles of new post roads. The law requires the postmaster general to provide for the conveyance of the mail upon these roads, and pay its expenses. He has not the money on hand for doing it. The resources of his department are all the means afforded him, and those are at his entire disposal. He obeys the law, by anticipating these means. He obtains the money by a loan upon the credit of his department alone. He does not compromise the treasury. He pledges nothing but what the law has placed at his own disposal; and he does this to fulfil the law. In this case, what law is violated? If this were like other departments, dependent on the treasury, drawing its funds from that source, in virtue of annual appropriations by law, it would present a different aspect. But its means and its wants are within itself. It develops and absorbs its own resources. It can touch nothing but what it creates; and it is independent in the application of what it creates, except the restrictions imposed by law. If a body corporate, a turnpike or canal company, obtains a loan upon its own credit, stipulating nothing but its tolls for the redemption, no law is violated, and no exception is taken to the legality of the loan. So, if a loan is obtained by the postmaster general, on the credit of the revenues of the department, for the fulfillment of the law, he is performing a duty which the law imposes upon him. Such was the case in obtaining these loans. As soon as the discovery was made, that the expenses were greater than what the accounts had exhibited, I retrenched the expenses by curtailing the mail facilities which I had extended as far as the public convenience would admit, and one hundred and twenty-five thousand dollars of the loan have been paid. The law under which I acted, did not authorise me to look to congress, nor to the treasury for relief; but to depend upon the resources of the department alone. There was, therefore, no other recourse but that of retrenchment. The facts are within the knowledge of congress; and if they should prefer a continuance of all the mail facilities now enjoyed by a temporary restoration to the department of a part of the moneys which the department has paid into the treasury, they have the power to make the provision; but the department is not warranted in asking or relying upon such relief; its own resources are its sole dependence. Such further retrenchment are within the power of the postmaster general as will place the finances in a state of perfect quietude, and it will be his duty to make the application.

The character of the times is understood. The bitterness of party animosity—the rancor of unrelenting persecution, are at

war with the liberal spirit of the age in which we live. All this, I have felt and borne without a murmur. In the extension of the mail facilities, I have known no person or party—I have had no sectional prejudices to gratify—no selfish interest to consult. My sole object has been, the accommodation of the public in accelerating the mail, extending the means of intelligence, and the frequency of correspondence, and facilitating the traveller in his transitions. But the political spirit of the times, is without a parallel in our history. My attachment to the illustrious patriot and hero, who presides over our public councils, is known. I have adhered to him in all his measures; and I am proud in the belief, that the bitterness against me arises in no small degree from my devotion to him and the principles of his administration. The confidence which he has ever reposed in me, the kindness which I have uniformly experienced from him, under all the changes which have taken place during his eventful administration; our coincidence of sentiment on all the leading principles of national policy, have continued to strengthen that devotion; and while he is made the object of the most bitter opprobrium, I have no reason to look for kindness or candor, from his enemies. But the dignified character of the senate, organized by the federal constitution to represent the sovereignty of the states, might be regarded as a pledge for the magnanimity of the committee emanating from that body. The hope, however, which might have been indulged from this consideration, was but the illusion of a moment. The majority of the members of that committee, were of a character that forbade all expectation of candor. Two of them were known, not only as among the violent opponents of the administration, but especially as the bitter enemies of the department; and the other was distinguished for his party rancor. One of their first actions was indicative of the course which they intended to pursue; it was to call to their aid Abraham Bradley and doctor Phineas Bradley, who were formerly the assistant postmaster general; but who had been dismissed from office by me, the first of whom had for the last four or five years been in active hostility to the department. These men, ejected from the department, and under all the impassioned feelings of disappointment and revenge, were employed by the majority of the committee to examine the books and documents of the department, and to search out cause for complaint. Their long experience in the department, would enable them to discover the smallest shadow of pretext for complaint if it existed; and their hostility would incline them to give to it the deepest coloring. From this step, it was evident, that the object of the majority was, not a fair investigation, but to seek for a pretext for accusation; to obtain scraps of information, which they might magnify, and distort, and bring forth an accusatory report; not for the purpose of fair legislation, but for mere political party effort. Such a selection might justly have been regarded as an insult offered to the head of the department; and the privilege of their introduction into the department, might properly have been denied. The people had given them no authority to act; nor were they in any way responsible for their conduct. But willing to open the door to the fullest investigation, having no disguise, no disposition for concealment, I furnished the committee with a room in my office, and permitted these men to enter and examine, in presence of any member of the committee, every book or document which they called for. The majority of the committee assumed for these men still higher ground; they made the attempt to invest them with authority, by placing in their hands, in the absence of every member of the committee, the archives of the department; thus constituting these Bradleys an inquest upon its proceedings, to exercise, in fact, all the powers of the committee. The committee called before them subordinate clerks, from whom full information could not be expected, at the same time excluding officers of the department. Their examinations were carried on in secret, and their conclusions drawn from *ex parte* evidence, without being hinted to those whose characters were to be affected by them. They accused by implication, and endeavored to blast the reputation of honorable men, without permitting the accused to face their accusers or the witnesses, without giving them an opportunity for defence, nor even informing them of a charge or suspicion against them. They carried their inquiries into the private transactions of life, and into matters altogether unofficial, affecting individual interest alone. Upon rumor and hearsay, they summoned witnesses, examined and cross examined them, prying into private circumstances in a manner that outrages all propriety, and puts honor to the blush; concealing their inquiries from their intended victim, lest all should be satisfactorily explained, they distorted plain unvarnished transactions, with the view of casting a shade upon private character. They endeavored falsely to impeach the veracity of the books and records of the department, by imputations of interlineations, figures, and marks. Each individual of them called for documents, statements, and transcripts, at his pleasure, sometimes through the person whom they employed as their clerk, and sometimes upon a subordinate clerk of the department. To all their inquiries I gave the fullest latitude, till I doubted the propriety of trusting the archives of the department with the Bradleys, who were undisguised in their hostility, and irresponsible either to the senate or to the department. I therefore directed that the books should never be out of the custody of a member of the committee, or of the department. I also gave direction that all orders from the committee, before they could be recognized as such, should come through the proper channel to the head of the department. No other restriction was laid; and

these directions were only in reference to the proper order to be observed, and could not, in any degree, limit the means, or interrupt the progress of their inquiries. When apprized of the instruments which they employed, and the course which they pursued, I had not reason to look for candor, honor, or veracity, in their report. The minority were disposed to act correctly, but they were overruled by the majority.

I shall now proceed to take some notice of the errors in their report.

They state that the chief clerk of the department has estimated that the net proceeds of postage for the quarter ending 31st March, 1833, [1834], will amount to \$520,000. The estimate of the chief clerk was before them, and states the same to be \$500,000. This error which they make of \$20,000, appears to be designed to magnify the amount of the error which they affect to have discovered in the estimate: as they state that from their estimate it will not amount to so much as \$500,000, by a considerable sum. They also state; "Your committee have ascertained that there was deposited in banks, for the use of the department, within that quarter, and prior to the first day of April, \$314,704, which will leave in the hands of postmasters, on that day, \$205,704," and they take the sum, viz. 205,704, as the amount due on the 1st April, 1834. The committee therefore have taken it for granted, that all the collections made of postmasters between the 1st of January, and the 1st of April, 1834, were for the postages received within the same period; than which nothing can be more remote from truth. It is like a merchant, who makes his collections of his customers once in three months. On the 1st day of January he finds due from them, on accounts prior to that day, \$900,000. He calls on them for payments; and by the first of April, he has collected 400,000 dollars. In the mean time he has sold goods to the amount of 500,000 more. Then, according to the calculation of the majority of the committee, there will be due to him, for the goods sold between the 1st of January and the 1st April, but \$100,000, while, at the same time, the amount of \$900,000 due to him on the 1st of January, will have been reduced to 400,000 dollars, leaving the whole amount of balances due to him but 500,000 dollars, instead of 900,000. On this principle, it will be easy to demonstrate the insolvency of any merchant, or of any department. They have fallen into the same error in estimating the amount of balances due to the department for postages accruing prior to the 1st of January, 1834.

An estimate was made by the treasurer and principle pay clerk, on the 11th of April, of the amount of balances due on that day, for postages which had accrued in all former time, up to the 31st day of December last, which might be calculated on as available. The data from which they made the estimate, are these: they took up six of the ledgers in which postmasters accounts are kept, all for so many different sections of the country. They opened each of these books at random, and from the place at which each happened to open, they took thirty post offices, in succession, and noted the balance of each account; these sums they added together, which gave the amount of balances due from one hundred and eighty postmasters. This sum they divided by 180, the number of postmasters, and the quotient was about twenty-six dollars, which was the average due from each postmaster. To avoid too high an estimate, they took twenty-five dollars as the average balance due from each postmaster; and that sum multiplied by 10,400, which is a little less than the whole number of post offices in the U. States, and the product was 260,000 dollars, the amount of balances due from postmasters then in office. From postmasters who had gone out of office, it was estimated that 50,000 dollars were due; but to keep within the bounds of safety, the whole estimate was fixed at 300,000 dollars, as the amount due on the 11th of April, for postages which had accrued in all former time, up to the 31st of December. But what is the course pursued by the majority or the committee in estimating the same? In the first place, they leave out, or throw away, on the 1st of October, every cent that was due to the department on that day, though a quarter had just ended, and most of its proceeds, as well as former balances, were due. They then estimate the net amount of postages accruing from the 1st of October to the 31st December, to be 467,449 dollars, and from this sum they deduct the amount of collections made by the department within the same period, 332,904 dollars, and gave the remainder as the whole amount due for postages, which had in all former time, up to the 31st of December, 1833, 134,545 dollars. Surely a school-boy, acquainted with the first rudiments of arithmetic, would blush to furnish a calculation so ridiculously absurd. The fact is, that postmasters' accounts are rendered quarterly, according to the calendar year, and most of them, at the commencement of a quarter owe the department the whole of the proceeds of their offices for the preceding quarter. If any of the payments made within the quarter are applicable to the postages accruing within the same quarter, they only leave so much of the balances due at the commencement of that quarter unliquidated. The result, in the aggregate, is the same, whether they are applicable to the current revenue or the former balances.

The foregoing is but a fair specimen of their incorrectness in their whole report. They speak frequently of the insolvency of the department. With as much propriety might they, two years since, have pronounced the nation insolvent, because its debt was more than the surplus money in the treasury. The resources of the nation have redeemed the national debt, and the resources of this department will relieve it from all embar-

arrassment. They also state, that "the postmaster general has, since the commencement of this investigation, represented to your committee, that aid from the treasury is necessary to enable him to carry on the operations of the department, and he has stated that \$450,000 is the smallest sum that will serve for that purpose." This allegation is utterly destitute of truth. The committee applied to me to know what sum would effectually relieve the department from pecuniary embarrassment; and in answer to that inquiry I stated, that if, of the moneys formerly paid by this department into the treasury, the sum of \$450,000 could be placed at the disposal of the department, it would effect the desired relief; and that without injury to the successful operations of the department, it could be restored to the treasury, one-third in one year, one-third in two years, and the remainder by the first of March, 1837. This statement was no proposition of mine. It was in answer to an inquiry which emanated from the committee. I never stated that aid from the treasury was necessary to enable me to carry on the operations of the department. I never obtained a loan upon the credit of the treasury, nor asked relief from that source. The operations of the department can be carried on without aid from the treasury. The retrenchments made in December last, are not greatly felt by the community, and from the beginning of the current year the expenses of the department are less than its revenues. Another retrenchment to the same amount, will still leave much more extensive mail facilities to the country, than it enjoyed when I came into the department, and in a very little time relieve it from debt, and place a surplus in the hands of the department.

The majority of the committee further state, that "it appears from the first report of the present postmaster general, made on the 24th November, 1829, that on the 1st day of July of that year, the whole amount due and outstanding in the hands of postmasters and others, was \$94,400 21." Such is not the fact. The report does not state it to have been the fact. There never was a time since the department was but one-fourth part as extensive as it is at present, that on the first day of any quarter the whole amount of outstanding debts was less than double that amount. My first report stated that, after deducting from the amount due from postmasters and others, on the first of July, 1829, the expenses for transporting the mail, and the incidental expenses of the department for that quarter ending that day, (which amounted to upwards of 300,000 dollars), there remained a balance due from them of \$94,400 21. The actual amount of balances due from postmasters on the 1st July, 1829, was not less than \$300,000; and the amount due to contractors and others, for the services of the quarter ending that day, was upwards of \$300,000—and my statement showed the balance which remained, after deducting the one from the other. The law prohibits the payment of contractors till their services are performed. On the first day of July, 1829, the whole amount for transportation from April 1, to that day, was due, amounting to more than \$300,000, besides former balances and other expenses. If "the whole amount due and outstanding in the hands of postmasters and others on that day, was but \$94,400 21," as the majority allege, the department must have been in a much worse condition when I came into it than I ever pretended, or than what they, in another part of their report, aver. But their object here is, to show the practicability of collecting at a given day, the outstanding balances, in order to discredit my statements, and not to show the low condition in which my predecessor left the department. But this is in character with their other allegations.

They next attempt, upon the investigation and report of the Bradleys, to prove errors in my statement of the amount of annual transportation. They state that they cannot vouch for the accuracy of the report of the Bradleys, but they seem to presume on its correctness, and bear testimony, upon its authority, against the statements which I have furnished, though accompanied with such data as will enable any person to detect an error, if an error in them exists. A part of the statement of the Bradleys, purporting to have discovered errors in the length of the mail roads, was too glaringly inconsistent for even the majority of the committee to introduce in their report; and they have omitted it, though confirmed, as they say, by the oath of Dr. Bradley.

The late postmaster general stated in his last report, November, 1828, that the annual transportation of the mail was,  
 In stages,.....6,439,594 miles.  
 On horseback,.....7,170,445 miles.

Making the total amount to be.....13,610,039  
 I had taken this as a basis on which to determine the amount of increase which I had given to it. I have never examined his calculations, but presume they are correct. I had caused route-books to be made, containing the names of the several post offices on each route, and their distances from each other, shewing the length, and the frequency of the transportation of the mail on each route. Where the roads had not been surveyed, the distances were taken from the statements of postmasters on each route. From these books, a statement was made of the length of each route, the frequency of the transportation of the mail upon it, and the number of miles it was transported in a year. The sum of these shewed the whole annual transportation of the mail, which was,  
 In 1829,.....23,632,330 miles.  
 And in 1833,.....26,854,485 miles.

In 1828, it was, by the late postmaster general's report, but.....13,610,039 miles.  
 Making an increase from 1828, to 1833, of.....13,244,446 miles.

The majority of the committee state that they had not time to examine this document, though they appear not to have wanted time to examine the statement of the Bradleys, and the minority found time to examine this.

To discredit this statement, the Bradleys took the advertisements for proposals to carry the mail, the distances there stated, and measured the distances on the map when not noted in the advertisement, took the frequency of trips called for by the advertisements, and so calculated the amount of annual transportation. The Bradleys knew, when making this statement, though certified by oath, that contracts were often made for carrying the mail more frequently on a route than called for by advertisement, and often for extending them a greater distance. The committee also had evidence of the same facts, and that it was done in a great many instances by existing contracts; yet they affect to give full credit to the calculations of the Bradleys, upon these false data.

The majority of the committee animadvert upon the contracts of Messrs. Stockton & Neil, observing that in the report of the postmaster general, furnished to congress during the session of 1831-'2, he quoted these contracts at a low rate; but that in his report of 3d March, 1834, he stated them to be at a much higher rate. The facts before the committee, furnished by the records of the department, were, that the proposals of Messrs. Stockton & Neil contained two propositions distinct from each other: one was, to perform a certain amount of service for a certain sum. The other was, to perform a much larger amount of service for a much greater sum. The proposal was accepted for the smaller sum, but with an express condition, that if the postmaster general should, at any time, require of them the service proposed in their second proposition, they should perform it for the sum stipulated in their proposals. The first report of this contract, with others, was made from the book of recorded proposals, and contained the sum accepted. This was in conformity with the custom which had prevailed with my predecessor. After the acceptance, and after substituting the greater amount of service, there was a very pressing application made to me, signed by Mr. Thomas Ewing, senator from Ohio, and many others, members of congress, still to increase the service to that extent which required the greatest amount of additional compensation. Agreeably to the earnest recommendation of Mr. Ewing and others, it was done. And now the complying with what Mr. Ewing then so earnestly pressed as proper and right, he reprobrates as improper and wrong. Whether he was sincere in his advocating it, or in condemning it, I know not; or whether the relation in which he now stands to the state of Ohio—which state was deeply interested in the improvement, has so changed as to have changed his opinion on the subject of the mail accommodations to which she is entitled, I leave for the public and for his constituents to decide.

The same remarks are made in relation to the contracts of James Reeside, and of Messrs. Reeside & Slaymaker. The same facts are also applicable to them. They made in each case two propositions: the smaller was first accepted; afterwards, for the better accommodation of the public, the greater service was required, and of course the higher compensation given. These, and other cases which they state to be similar, though they have not specified them, they reprobate as "involving almost every conceivable variety of abuse." On all these routes, there is now a greater amount of service performed in proportion to the compensation allowed, than under any former contracts; and this the committee knew, or had the means of knowing; and as Mr. Ewing himself earnestly recommended the most expensive of these improvements, the public will judge what credit is due to his decision.

Their next subject of animadversion, is that of a contract with gen. George House, of Ohio. Gen. House was a contractor for carrying the mail in stages between Chillicothe and Gallipolis, on the north west side of the Ohio river, opposite the mouth of the Kanlawha. There was a stage route running from Washington city, and from Richmond, Va. by Staunton, along by the Kanlawha to Catletsburgh in Kentucky, on the Ohio river. Highly respectable citizens of Ohio desired that the state of Ohio should participate in the advantages of this route, which it was represented could be done by extending gen. House's route from Gallipolis by steamboat up the Kanlawha to Coalsmouth, about fifty miles. This would perfect the most direct line from Richmond, Charlottesville, Staunton, Lewisburgh, and other important places in Virginia, to the seat of government in Ohio. It was also represented that gen. House was preparing a steamboat for that purpose, and would probably have it in readiness to commence the operation by the 1st of April, 1831. He proposed to perform the service for \$30 a mile. This was a moderate compensation. The request to give to Ohio the benefit of the Virginia and Kentucky stage line, seemed to be reasonable. The expense appeared inconsiderable, compared with the magnitude of the object. Gen. House was, therefore, directed to extend his line to Coalsmouth, and to run between that place and Gallipolis in steamboats. This extension superseded a contract of John Black, to carry the mail on horseback between Gallipolis and Coalsmouth, at 394 dollars a year. It was an original stipulation in the contract with Mr. Black, that if a stage or steamboat should be established on his route, the postmaster general should have the right to annul his

contract. General House did not, however, succeed, during the continuance of that contract, (which ended with the year 1831), in his experiment for running steamboats on the Kanhawa; the mail was continued on horseback—Mr. Black continued to carry it—and no more was paid for its transportation than the \$394 stipulated in the contract with Mr. Black. This plain transaction they have endeavored to distort into an act of official iniquity, though they confess that no evil was done, nor any other effect produced than that of transferring the route from Mr. Black to gen. House, who, they say, "is well known as an active and influential political partisan." At the renewal of the Ohio contracts, the route from Chillicothe to Gallipolis was accepted to A. L. Ross, at \$1,100 a year. It was then represented that gen. House had a steamboat in a state of forwardness for the Kanhawa, and was determined to make another experiment to unite these two lines, and the citizens were desirous that it should be done. That this object might be accomplished, or its practicability tested, Mr. Ross voluntarily relinquished the route to gen. House. A contract was made with gen. House to carry the mail three times a week in four-horse post coaches between Chillicothe and Gallipolis, to run through in one day, instead of one day and six hours; also to carry the mail three times a week between Gallipolis and Coalsmouth, (which had been carried but twice a week under Mr. Black's contract), to test the experiment of running steamboats on the Kanhawa, and, if found practicable, to extend them to Kanhawa C. H. sixty miles—and for the whole service to receive \$2,600 a year. This sum is \$1,106 more than the sum for which Mr. Ross proposed to carry the mail between Chillicothe and Gallipolis, and the sum, \$394, which had been given under Mr. Black's contract for carrying it but twice a week between Gallipolis and Coalsmouth. For this \$1,106, admitting that the steamboat experiment should fail, the department would receive the benefit of an increased expedition of half a day between Chillicothe and Gallipolis; and three trips a week, instead of two trips a week, between Gallipolis and Coalsmouth. But if the steamboats should succeed, as was confidently expected, the gain to the department would have been very considerable. The majority of the committee state, that there is a clear loss on these routes, by giving them to gen. House, of \$1,206 a year. Their statement carries the evidence of misrepresentation upon its face. It is tantamount to saying, that three trips instead of two, and an increased expedition of six hours a trip, are worth \$100 a year less than nothing.

On a contract made with col. Asahel Savery, for the transportation of the mail between Chicago and Green Bay, estimated to be 250 miles, they also animadverted. The law establishing this route was passed, with about 500 others, on the 15th of June, 1833. The advertisements for proposals to transport the mail on these routes, was prepared before the publication of the law; and for want of the law as it finally passed, some errors were liable to happen in the description of routes. In consequence of this, the route was advertised to run from Detroit to Green Bay instead of Chicago to Green Bay. Several proposals, however, were received for transporting the mail from Chicago to Green Bay; the lowest of which were those of col. Savery, at \$3,000 a year, once in two weeks, or \$3,500 once a week, and of Messrs. Irwin and Arndt, at \$3,000 a year, once in two weeks, without specifying any sum for which they would perform the route once a week; but if required to run once a week, the service would be double, and they would have the right to require double the amount, \$6,000 a year. It was intended that it should be performed weekly, and colonel Savery's proposal was accepted at \$3,500 a year. He afterwards stated that from information received since he had made his proposition, he had learned that the distance was fifty miles more than he had anticipated, having had no advertisement for his guide as in ordinary cases; that the waters on the route were such as would require expensive preparations for passing them, the country being unsettled, and for these reasons he prayed for a reconsideration of his accepted proposals, and for a further allowance of ten or fifteen hundred dollars. There seemed to be reason and equity in his request, and considering that the lowest proposal otherwise made was by persons, one of whom resided at Green Bay, and was presumed to have knowledge of the difficulties and expense of the route, was at the rate of \$6,000 a year for a weekly trip, it was deemed more economical for the department to allow to col. Savery \$1,500 a year than to permit him to withdraw; and to subject the department to an annual expense of \$1,500 more than that sum by accepting the proposal of Messrs. Irwin and Arndt. A contract was accordingly made with col. Savery at \$1,500 a year. The contract was made on the 22d of February, 1833, to commence on the 1st April of that year. Dr. John T. Temple was then a clerk in the general post office. He had determined to resign his situation, and to remove to Chicago. On the last day of February, col. Savery assigned this contract to Dr. Temple, who resigned his situation as clerk about the same time. I knew of no good reason to object to the transfer. Dr. Temple was a gentleman of highly respectable character, and entirely worthy of the trust. He had determined to resign his clerkship in the department, and did actually resign, and remove to Chicago before the commencement of the contract. I should not permit a person while a clerk in the department to hold a contract for transporting the mail, though the law does not prohibit it, and I am informed that it has been done in former years, before I came into the department; but I have discovered no reason why a person should be refused this right after leaving the

department, for no other cause than his having once been employed in it as a clerk. The majority of the committee have so distorted these transactions, as to present scarcely a beam of truth. They state that "John T. Temple made out a bid in the name of Asahel Savery." The bid is not in the hand writing of Dr. Temple, nor does his name appear in the whole transaction till after the contract was made with col. Savery. They state that "Dr. Temple, by means of his situation in the department, obtained a contract giving him \$4,500 for carrying the mail 250 miles on horseback weekly, for which service, it is believed, \$1,500 would be a very large compensation." So far from the fact is the insinuation of this contract having been given to col. Savery, for the benefit of Dr. Temple, that I did not know, nor even suspect, at the time of making it with col. Savery, that Dr. Temple had ever thought of it. It was made with col. Savery in the full expectation that he would retain it, on the sole principle that it was the lowest offer, and under the circumstances, the best contract on the part of the department that could then be made for carrying the law of congress into effect. As to the amount paid, it was lower than others who wanted the contract, and who were acquainted with the country through which it passed, would undertake the service for; and it does not appear to have been considered by col. Savery an object of sufficient interest for him to retain it.

The majority of the committee complain of the correction of an evident error in a proposal of James Reeside, which was accepted, for carrying the mail between Hagerstown and McConnellsburch, twenty-six miles. The proposal, as accepted, was to run four-horse post coaches on that line, three times a week each way, for the transportation of the mail, at a compensation of forty dollars a year. Mr. Reeside, before he commenced the service, stated that it was a mistake of the clerk whom he had employed to copy his bid; that it was his intention to have proposed to run daily, for fourteen hundred dollars a year. The bid, as it was received and accepted, carried upon its face the appearance of a mistake, or at least of something that needed explanation. The proposition to perform the service for ten times that sum would have been considered too low to warrant the expectation that the service would be well performed, unless it came from a person most favorably known to the department. The explanation was given by him—the error corrected—and while he performed the service daily, with an increase of distance, five miles each way, he was allowed fourteen hundred dollars; and since the service is reduced to three times a week, seven hundred dollars a year.

On another route, between Baltimore and Chambersburgh, seventy-seven miles, for which Mr. Reeside is contractor, to carry a daily mail, his proposal contained two distinct propositions, one to perform between certain hours, and within a given time, for \$1,900; the other to give such increased expedition as would gain an entire day between Baltimore and Pittsburg, for \$3,495 a year. The first was accepted; but the expedition was found to be of such importance that the second was adopted. The majority of the committee state that "the expedition does not appear to have been of any considerable value to the public." Whether it is of any considerable value to the public to gain a day in all intercourse between Baltimore and Pittsburg, and consequently all places north west of Pittsburg and south of Baltimore, the mercantile and trading part of the community can better judge. These remarks, relative to distinct propositions in the same proposal, and the discretion of adopting the one or the other, as shall seem most expedient, are equally applicable, as before remarked, to the other routes of Mr. Reeside, and also to those of Johnson, Hutchins, Hough, Henry and Childs, and, therefore, it is not necessary that I should dwell longer upon them. But one other case of Mr. Reeside is exhibited by them in so deceptive a light, and with such gross misstatements, that I cannot suffer it to pass unnoticed.

Messrs. Reeside & Slaymaker entered into contract to transport the mail between Philadelphia and Pittsburg, daily, in four-horse post coaches, to run two lines a day; one to go through in a few hours more than two days; the other in three and a half days. The object of the two lines was, that the weight of the whole mail being too great to admit of its transportation with the rapidity required by the shortest time, the principal letter mail for Lancaster, Harrisburgh, Chambersburgh, Bedford, Pittsburg, and all places west of Pittsburg, and the same returning, might be carried through with the greatest possible rapidity, that mail not being over loaded; nor required to stop at all the way offices to exchange mails; but that the more tardy line might carry the heavy newspaper mails, and the letter mails for the intermediate offices, commonly called the way mail. In this way they began their operations on the 1st January, 1832, the day when their contract commenced. It was but a short time before heavy complaints were made by editors and others, on account of the delay of newspapers. When information was received by letter, or by newspapers put up in letters, as is customary with those who have the privilege of franking, earlier than by the regular newspaper mail, the contractors were accused of detaining the mail on the road, and the department was censured for suffering them to do so. Messrs. Reeside & Slaymaker were among the best of contractors, and no persons could be more sensitive than they, when any complaints were made touching their character as mail contractors. To allay these complaints, they, agreeably to the wishes of the department, undertook, from the 1st of April, 1832, to carry all the newspapers for Pittsburg, and placidly be-

yond that point, in their more rapid line. After three months' trial, they came to Washington, and alleged that the loss which they had sustained by carrying the great newspaper mail, in their more rapid line, was so great, that it would prove ruinous to continue it, unless they should receive something approximating to a remuneration for the same. They urged their right to relinquish their contract, if they were required to continue the service, as it was involving too enormous an expense to render it practicable, and demanding of them a service which their contract did not contemplate nor require. This conversation was verbal, but I told them to reduce their statement to writing, and I would take it into consideration. Upon this, they presented me the following written statement:

“Washington, July 12, 1832.  
 “SIR: When we entered into contract with you to run two daily mails between Philadelphia and Pittsburgh, one with unexampled rapidity, and the other in three and a half days, we had no idea whatever of carrying the newspaper mail in our most rapid line, nor do we suppose it was ever contemplated by the department. It was our intention, and we so expressed it in all our conversations with you and with the superintendent of mail contracts, to carry the principal letter mail only in the most rapid line, not believing it practicable to carry the heavy load of newspapers sent to the west, with sufficient rapidity to reach Pittsburgh in the shortest time specified. Indeed, if we could have supposed that it would ever become necessary to carry the newspapers with that rapidity, we should not have undertaken it for less than fifteen thousand dollars a year beyond what we now receive. But experience soon taught us that great complaints were made against the department and ourselves, when the newspapers were not carried as soon as the letters; and that these complaints were not confined to Pittsburgh, but extended all over the west. To satisfy the public and sustain the credit of both the department, and ourselves, as its servants, we made the experiment of trying to carry the newspapers with our most rapid line. We have partly succeeded; but with very great loss. For three days in the week, we are compelled to exclude all passengers, to the loss of not less than one hundred dollars a day. We are willing to perform our contract to the full extent of its meaning; but we must relinquish carrying the newspaper mails by our most rapid line, unless we can, in part, be remunerated for it. If, however, the postmaster general is willing to silence the public clamor, which is so great when we carry them in our slow line, we will carry all the newspaper mails, together with the letter mail, in our most rapid line to Pittsburgh and Wheeling in the shortest time specified in our contract, and so arrange the continuation of the Baltimore mail at Chambersburgh with our swift line, as to carry the newspaper as well as letter mail, from Baltimore to Pittsburgh in two days, for the additional allowance of ten thousand dollars per year from the first of April last. The increased expense to us will not be less than fifteen thousand dollars a year; and for our own credit and the credit of the department, we will make one-third of the sacrifice and perform the service for ten thousand dollars a year. We would gladly do it for a less sum if we could afford it; but we cannot; and at that rate our sacrifice will be as much as we can bear. It would be much more gratifying to us, if the public would be satisfied without it; but they will not; and our own feelings will not suffer us to perform a service in which we cannot give satisfaction to the public. Very respectfully, &c.  
 JAMES REESIDE.  
 SAMUEL R. SLAYMAKER.”

On the presentation of the above I made the allowance. It was for a service which their original contract did not require them to perform; and a service for which the public voice was clamorous. But what is the language of the majority of the committee in relation to this? They say “but it has not been thought necessary, in all cases, to preserve even the cover of increased services, as an excuse for these extra allowances. The ten thousand dollars, yearly allowed to Reeside and Slaymaker, on the route from Philadelphia to Pittsburgh, is wholly without this apology.” This assertion, with the facts before them, is what we should not have expected from a committee of the senate of the United States. But they proceed farther; and behind the shield of official privilege, by misrepresentation and detraction, they make a thrust at what is of infinitely more value than life itself, the character of an officer of the department and of these two contractors. They state, “to give the transaction its true character, this ten thousand dollars a year was a 2/7, out of the funds of the department, to these contractors; and there are some further circumstances attending it, which, on a most careful inquiry by your committee, are not satisfactorily explained.” What do they give as the circumstances attending it? First, that the contractors had not yet divided the money among the company of stockholders in the stage lines by which the mail was transported, but held it to meet debts of the company for which they were liable; and, secondly, that Mr. Brown had obtained a loan on interest, from these gentlemen, for the purpose of purchasing property in the city of Washington. They acknowledge that the testimony of both Reeside and Slaymaker proves, that the loan was an interest, for the evidence of which they had Mr. Brown's acceptance—that he had repaid a part of it at the end of one year, and that they held him responsible, and he never disavowed his responsibility for the remainder; but to throw a shade upon the transaction, and by innuendo to charge honorable men with perjury, and Mr. Brown with corruption, they say that “this trans-

action is the more reasonable when taken in connexion with another, testified to by Edwin Porter, which will be found in another part of this report. In that case, Brown was, shortly before, and shortly after this transaction, the lender of very large sums of money to Porter on interest.”

When this part of the report was penned, as it is understood, by Ewing, he had the proof before him, that Mr. Brown never loaned a cent of his own money to Mr. Porter—that Mr. Brown received, as agent from a gentleman, a sum of money to place in safe hands at interest—that the gentleman shortly after died, and that Mr. Brown is still acting as the agent for his widow and orphan children—that of the money thus received, he made these loans to Mr. Porter; but that the money which he borrowed was to purchase property for his own benefit, and not as agent for another; and that he borrowed the money for himself, because he would not, himself, be the borrower of money put into his hands to loan out as the agent for another. With these evidences before them, where does the charge of iniquity lie? They also knew that the loan from Messrs. Reeside and Slaymaker had no connexion whatever with their extra allowance, nor with any official transaction. It was not made within half a year after the allowance was made to them. The fact is, that Mr. Brown had no more agency in the allowance of the ten thousand dollars, than Mr. Ewing himself had. Messrs. Reeside and Slaymaker came themselves to me, while I was confined to my house by indisposition, and presented their case, and I made the allowance as a matter of right, without consulting Mr. Brown, or knowing his opinion upon the subject.

The injustice of their remarks on the contracts of Mr. Porter, is too apparent to need much comment. There is but one specification contained in them, and that is, that “the Ohio river, between these points, (Guyandotte and Louisville), is not a mail route established by law;” they therefore condemn the establishment of a steamboat line between them as unlawful. Whether they were themselves ignorant of the law under which they presume to judge me, or whether they intend wilfully to impose on the credulity of others, I will not say; but the 3d section of the law of March 3d, 1823, is in these words: “and he it further enacted, that all waters on which steamboats regularly pass from port to port, shall be considered and established as post roads, subject to the provisions contained in the several acts regulating the post office establishment.” No person who has ever been on the Ohio, is so ignorant as not to know that the waters of the Ohio, especially between those two points, are regularly traversed by steamboats. Mr. Ewing knows it, and acknowledges it; yet he denies that it is a mail route by law.

They also state, that the route between Mobile and New Orleans was not advertised, and complain that the law was violated by making this contract without advertisement; and that the law was violated by getting a steamboat line upon it. Though the charge of violating the law by getting a steamboat line upon it is against my predecessor, who first made a contract for carrying the mail upon it in steamboats, it is but justice to him, for me, on his behalf, to deny the charge. They accuse him unjustly. There is a special law establishing this route, and under this law he acted when he made the contract with Rhodes, as I also did when I renewed the contract after his failure. As to the other points, the route was regularly advertised by me preparatory to making the contract, and taken at 25,000 dollars a year, for three trips a week; and when transferred to Mr. Porter, it was so altered as to run daily at 40,000 dollars a year—more than 18,000 a year less than *pro rata*.

They complain of the extra services performed, and of the extra allowances made to William Smith, of Virginia. When making this complaint, they knew that the extra services were called for by more than a thousand petitioners, sustained by the representatives in congress of the sections of country through which the line runs, and that the extra pay is less in proportion to the service than that of the original contract.

James F. Robinson is the contractor for carrying the mail daily in four horse post coaches between Cincinnati, Ohio, and Georgetown, Kentucky. This line forms a part of the regular connexion between the seats of government in Ohio, Kentucky and Tennessee. It also connects the two great mail lines through Ohio and Kentucky, and is an important part of the shortest and most direct mail stage route between Cincinnati and St. Louis, through Indiana and Illinois. An increased expedition, and running in the night instead of the day, would effect the gain of an entire day in these important connexions. On this account, he was directed to make the change. A stipulation in all mail contracts provides, that when the postmaster general directs a change of schedule, or increase of expedition, he shall defray the reasonable expense which such change shall require. Mr. Robinson presented his claim for this expense, and it was not admitted. It was then referred, by mutual consent, to experienced and honorable men, both named by me for arbitration. Their award was allowed. The majority of the committee condemn the measure. An impartial public will reverse their decision.

Messrs. Avery, Tompkins and Saltmarsh, are the contractors for carrying the mail on several routes, among which are the routes constituting the main southern line, between Petersburg, Virginia, and Fayetteville, North Carolina, upwards of two hundred miles, daily, in four horse post coaches. It is well known that stage proprietors calculate upon passengers for a considerable proportion of the remuneration for their expenses. About ninety miles of this road are almost impassable

in the winter; and, very frequently does it happen, that the badness of the road, and the expedition required, are such, especially since the mails are become so heavy, as often to weigh more than a ton, that the best of coaches are broken, and a failure of the mail is the consequence. To prevent these disasters, they were required carry the mail in four horse wagons, so as to exclude all passengers, and for the accommodation of travellers, to run a tri-weekly line of coaches, during three months in the year, for which an additional allowance was made of 2,500 dollars. The mode of conveyance was changed by order of the department, from what was specified in their contract; and the change was such as to require from them the full amount of expense for horses and drivers, but to deprive them of all revenue for passengers; or, if they obtained any thing for passengers, it was at the additional expense of running an extra line. Was it unreasonable that they should receive, at least, a part of the expense which the change required? Yet the majority of the committee call it an "extraordinary allowance," and condemn it as unwarranted.

They condemn a lawful and reasonable allowance to J. B. Bennett, because, they say, he became, after obtaining it, the editor of a newspaper friendly to the administration. Their statement is destitute of the slightest shadow of truth. Mr. J. B. Bennett was never known, either as a politician or as an editor. He never owned a printing establishment, nor had any concern in a newspaper. So far as he or his partner entertained political partialities, they were in favor of the late administration, and opposed to the present. He is now deceased, and his brother, who was his partner, is his successor; but what his political opinions are I never knew till informed of them by a recent communication. The report of the honorable Messrs. Grundy and Robinson, has taken a fair and impartial view of the whole subject of the investigations of the committee; and when their report shall be read, remarks from me are scarcely necessary.

The majority of the committee make a comparison between the amounts of expenditure for mail transportation in the state of New Hampshire and in the state of Vermont, as they appear by the official report of February, 1831, showing that there was \$15,610 30 more expended in New Hampshire than in Vermont, whilst there were \$1,324 more postage paid the same year by Vermont than by New Hampshire. This exhibit is evidently made with the view of charging undue partiality to New Hampshire over Vermont, in the mail arrangement for the two states. I might dismiss the subject with the remark, that whether it be so or not, is a matter that cannot affect me, officially, or otherwise; for the mail arrangement for those states, for the year 1831, or for any year prior to the 1st January, 1833, was not of my devising. It was the work of my predecessor. The contracts in the New England states that were in operation as late as the 31st December, 1832, were let in the fall of 1832, and put in operation in January, 1833, during the administration of the honorable John McLean. I do not believe that the mail accommodations for these two states were made under the influence of any improper preferences in favor of New Hampshire. It is apparent, that New Hampshire, from her position on the sea-board, in the neighborhood of the great emporium of New England, and of other large commercial and manufacturing towns, must require more frequent interchanges of the mail than Vermont; whilst the latter, from her remoteness of situation from the main points of correspondence, must necessarily pay the higher rates of postage, provided by law. But if any shall believe with the committee, that judge McLean's arrangement was an exceptionable one, it may be gratifying to such to be informed that the evil complained of has been, in a great measure, removed by the arrangements since adopted, under the present administration of the department. The contracts now in force in those states were let in the fall of 1832, and put in operation in January, 1833. A careful examination has been made of the amount of pay, and proportion of pay, for the routes and parts of routes, in each state respectively, and it is found that there is at this time paid for mail transportation,

In New Hampshire,.....	\$36,594
Vermont,.....	31,991
Difference,.....	\$4,603

The majority of the committee speak of what "the law contemplates," and of a "limit beyond which the expenditure is not permitted to pass without the consent of congress;" but they do not cite, nor refer to the law, because no such law exists. They accuse the postmaster general of not complying with the 39th section of the post office law, though their own printed documents show that it has been literally complied with every year for the last five years. They complain because the editor of a newspaper, friendly to the administration, has what is called the newspaper privilege, meaning the privilege of carrying newspapers out of the mail, though it is a privilege expressly provided for by law, and they knew that it was also enjoyed and extensively practised by several editors on their own side of the question. They refer to a confidential report of the postmaster general to the senate, in a manner calculated to make the impression that I wish to conceal the nature of the expenditures, when that report was made confidential in obedience to a resolution of the senate.

They notice a difference between the sum of the several contracts as stated in the Blue Book and the sum given in my annual report to the president, amounting to 40,396 dollars a year.

They allege, that one statement gives the annual stipulated prices for contracts in September 1833, and that it differs from another statement of the annual stipulated amount of contracts in November 1833, to the amount of 40,396 dollars. This difference arises from the changes made in contracts in the United States, between September and the 30th November, 1833, together with many other alterations and allowances which had been made prior to September, but which had not been entered on the contracts when the statement was made out for the Blue Book.

And the reason why an "answer to the call of the senate for a statement of the sums paid for transportation and extra allowances omitted in the Blue Book" has not been made, is, that soon after that resolution was passed, it, together with other calls of a similar character, was superseded by the subsequent resolution of the senate empowering the committee on post offices and post roads, to make inquiry and investigation themselves, with power to send for persons and papers. The committee omitted, in their investigations at the department, to call the attention of myself or any other officer of the department, to the omissions in the Blue Book,—no doubt because they had become aware, from what they had ascertained themselves, that the items could be satisfactorily given, and any supposed discrepancy distinctly explained.

They stated that the expenses of travelling agents for the department, were paid by the postmaster in New York, "and then the charges covered and concealed under the name of incidental expenses of the post office at the city of New York." This allegation is entirely foreign from the truth; for there is not in the department such an account as "the incidental expenses of the post office at the city of New York," nor of any other post office. The account of "incidental expenses" is common to the whole department, and not proper to any one post office; and the charges of which they speak are all entered in that account, and a copy of that account reported to the senate, referred to the committee, and printed with their report. They had the means of comparing it with the entries in the books, and with the original accounts and vouchers. They found nothing wrong, and therefore resorted to direct misstatement, without even a coloring of truth for its mantle. The same they have done in their statement of extra allowances to contractors. In the case of one individual, Mr. Reeside, they have stated his extra allowances to be upwards of 37,000 dollars a year more than what they really are. This is a fair specimen of the credit due to their allegations, in relation to allowances as well as other matters. So in their remarks upon the accounts of Messrs. True & Greene; they allege that the statement in the Blue Book is incorrect; and to sustain them in the position, they show that their printing account amounted to precisely what is stated in the Blue Book, but that the paper also was purchased by the department, and should therefore be counted as a part of the expense of printing. It is the uniform custom of the department, to furnish paper for the printing of the blanks, and to allow the printers a certain sum per ream for printing them. This was the case with True & Greene, and with others employed for that purpose. They purchased the paper by direction of the department, and charged the department with it in their account. The printing was a distinct charge, and the amount is noted in the Blue Book as the sum paid for printing. Their other remarks concerning printing, are quite as foreign from candor and correctness.

Their intermeddling with private and individual concerns, and their attempts, by false coloring, insinuations, and innuendoes, to injure private character, are unworthy the respect which their official station is calculated to give them. Their effort to blast the reputation of Mr. Reeside, has been successfully repelled by him, and made to recoil upon the principle actor in this disgraceful attack. Their inquisitorial proceedings in relation to my own private business—their personal insinuations—their attack upon my private character—are the more proper subjects of individual responsibility; and I must consider them entirely beneath any official regard or public refutation.

My official acts belong to my country; and whether their tendency has been the promotion of the public good, I cheerfully submit to the decision of my fellow-citizens. I make no pretension to infallibility, but my errors, whatever they may have been, have not resulted from design. Our national domain is extended from the frozen regions of the north to the plains of perpetual foliage in the south; from the Atlantic ocean on the east, to the Rocky mountains on the west. Clashing interest and sectional prejudices can be counteracted only by safe and speedy intercourse. Every improvement which tends to shorten the time of epistolary correspondence, and to expedite and facilitate the traveller in his transitions from one part of the country to another, is like bringing the distant parts nearer together; and while it strengthens the bonds of friendship, increase intelligence, and affords convenience to the man of business, it does more to cement our union than any other consideration of interest or safety. This end I have kept constantly in view. Whether I have been in any degree successful, the public will judge. The vindictive course pursued by my enemies,—made so by the rancor of party violence alone,—the unjust, unlawful, and unprincipled manner in which they have conducted their investigations,—has induced me to address my self to the public, by whom I shall be indulged with a hearing; and when the facts shall be known and understood, to the tribunal of public sentiment I shall cheerfully submit.

W. T. BARRY.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The present sheet contains a large assortment of various and interesting matter. To be sure, our first purpose is to make a record of public documents, and other important public proceedings, but, now and then, we are much pleased in being able to present a miscellaneous collection of articles.

We publish some more of the laws passed at the last session of congress, and intend, as soon as be conveniently obtained, to insert all the acts that are generally interesting. They will be useful for common reference.

The act appropriating \$5,000, to make experiments for the safety of the steam engine, it is thought, may embarrass some of the strict construers of the constitution, for its principle would extend to an appropriation of five millions—but we think that there is power in the general government to provide for the safety of the people of the United States—if to the making of "light houses in the skies," as Mr. Ritchie had it, to subserve the purposes of practical science, and promote the public good.

We have received and read, with much interest, the report of the committee on Indian affairs, presented to the house of representatives by Mr. Everett, of Vermont, on the 20th May last—to which was attached two important bills that have since become laws. The latter are laid off for our next paper, and the report itself shall be given hereafter—for the subject is one that deeply interests the best feelings of the people of the United States; and Mr. Everett has handled it in a masterly manner.

We publish certain useful and important tabular statements, concerning the general condition of the state banks, compiled under the direction of the clerk of the house of representatives, from materials collected by Mr. Wilde, and published by order of the house.

These statements are, probably, more accurate than any others that have been yet laid before the public, but still are defective, as needs must be expected; and present only a general view of the real condition of the banks in the several states; but persons who desire to understand the subject, must closely examine the reported demands against and resources of the banks, and compare the two, for themselves.

The aggregates offer much matter for serious reflection. It is shewn, among other things, that (including the new banks, tho' not carried out) credits to the amount of more than four hundred millions, were maintained, or sustained, by a specie capital of seventeen or eighteen millions. SUCH IS CREDIT—such is the CURRENCY, with which unskillful men have violently interfered and deranged. Public confidence had expanded less than thirty millions in specie or "specie funds" including that in the bank of the United States,\* into nearly or about five hundred millions of credits, at or in all the banks, which large sum was just as useful in business operations as though such an amount of gold had been deposited with us—and, indeed, more useful, because more easily and cheaply transferred from one person or place to another—and hence the mighty march of this republic in population, wealth and power, through a SUCCESSFUL INDUSTRY, aided by roads, canals, bridges, steamboats and wagons, and thousands of applications of science to the

\*At the triennial meeting of the stockholders of the bank of the United States held 1st September, 1831, the responsibilities of the bank to the public, for capital, circulation, deposits, dividends unclaimed, profits earned, &c. &c. amounted to \$2,265,578, and the specie on hand to \$1,545,116. The responsibilities of the bank have been considerably reduced, and the specie on hand increased, since then, but we cannot just now refer to a statement shewing the particulars.

These things are stated to shew, that, while the local banks had 400 millions of responsibilities based on less than 20 millions of specie, that is, 20 to one—the rate of the bank of the United States was only a little over 7 to one—or as 82 millions to 11.

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common purposes of man, in agriculture\* and the arts, and the affairs of domestic life. The sun never shone upon a country more prosperous than was our own, a little while ago. We would rather have diminished, than have increased, the capital and credits of banks; but while that great balance wheel, the bank of the United States, had fair play, no general or very serious injury was anticipated. If paper money had a tendency to raise the price of commodities, it also advanced the price of labor, by bringing it into greater demand; and thus the profits of bankers were distributed into the families of the laboring poor, adding to their comfort—the chief property which they had (*in their capacity to labor*), BEING PROTECTED; agriculture, too, daily extended its important operations, and about ten thousand new houses were annually building in our chief cities and towns, and every man, as it were, if able and willing to work, had employment, and might eat the bread of independence. So "things were." But an "experiment" is now going on, and its end may, perhaps, be partially calculated from the fruits which it has already produced in suddenly contracting the currency, and paralyzing the business and reducing the profits of the laboring classes.

These are mere hints on important things, as to the power and effect of CREDIT on the prosperity of a country, and the facility which it affords to the CREATION AND CIRCULATION OF REAL VALUES—as in the following, for a

\*A much valued friend whose deliberate opinions are always entitled to high respect, and who is also well acquainted with the business of agriculture, as it was and is, in reply to a question proposed by us, said, that the labor of cultivation, as compared with its products in the United States, was reduced one fourth within 30 or 35 years, by more correct rotations of crops, the use of plaster and growth of clover, and the greatly improved instruments and tools used by farmers to prepare their grounds and secure their crops, or in facilities afforded in sending to market. Now this reduced labor, is, in one way or another, no matter how, a clear gain to the annually productive wealth of the country, and is of a mighty amount. The same results will be found in the examination of almost any other branch of the national industry—or rather, in most branches, at a much higher rate. Take an example—when money was worth about twice as much as it now is, (for money, like every thing else, has its price), the cost of transportations from the Atlantic cities to the western waters, and even not very long ago, was at the rate of 5 or 6 cents per lb. Now the cost is  $\frac{3}{4}$  1½ cents per lb. The difference is also a clear gain. But this is not all. The journey from Baltimore to New York, for another example, is often made in less than one day, or 24 hours, and without fatigue—it required from 3 to 4 days, with much fatigue; and the difference in the expenditure of time and strength passes into the general profits that are added to the nation's capital—for "time is money," and the ability to labor, or do business, is also "money."

Suppose another case. The exchanges of the bank of the United States, and its offices, with each other, or other distant banks or places, amount to about 250 millions a year, the average expense of which is less (to the public), than one-tenth of one per cent.—but say 250,000 dollars. The average distance of the places at which such exchanges are consummated, may be some where between 300 and 500 miles—say 300. If the same amount of business was to be done by specie, whether gold or silver, the cost and risk of the transportations would certainly exceed two per cent. and amount to five millions of dollars. Now, the 4,750,000 dollars saved in the manner stated, and in the facts proposed, is as much added to the public wealth as though so large an amount in gold was digged out of the bowels of the earth—for the labor and time expended in such transportations are devoted to other purposes, and made productive, instead of being only useful, as if so expended such labor and time would be. Production, only, increases values. Thus—if it required a certain number of men and horses to transport a certain weight in silver a given distance to pay a debt, which might just as well be paid by a draught costing only 25 cents, perhaps, for postage—and the labor of such men and horses was appropriated to the making of corn or cotton, an increased value must follow it—but the transport of the silver, in this instance, added nothing to its general value: yet if silver were a native production, the transport may as well enter into its value as the cost of digging it out—for silver, just the same as flour, must be carried to its market.

single instance out of a thousand: the Baltimore and Ohio rail road has reduced the cost of transporting a barrel of flour to market, say 50 cents; here is a substantial benefit either to the growers of wheat or consumers of flour, or is divided between them—and the labor that was formerly expended in the transportation of this flour is now applied to making more wheat—and so there is a clear gain: but whether the rail road was made by the expenditure of gold, or use of credit, has no sort of effect on the benefits conferred by it. The only thing to be considered is, whether the gold or the credit was rightfully, and prudently, and honestly used. Credit may run wild, and sometimes does—and should always be carefully watched: but, being established, it should be meddled with only after the most deliberate and cool observation of its actual condition; and sudden appreciations or depreciations of the value of money should *always* be avoided, if possible: Either may be used to advance the interests of designing and dishonest men—but the public suffers by either, and especially the working people.

Money, to those who need it, and have the *courage* and credit to borrow it, is becoming more plentiful than it was—and chiefly for the strong, but melancholy reason, that most persons have restrained their expenditures, and that new enterprises are entered upon slowly, and with the greatest caution. Hence we use the word "courage"—and most persons now, before they sign a note, closely calculate the fact that it will run to its maturity! On this account, we understand that the banks are not much over-burthened with offerings of such paper as they are willing to accept. But money has a sluggish circulation, unless in borrowings to pay borrowed money, or to meet old and imperative engagements, and the usual remittances, or ordinary collections, are exceedingly diminished, as well as the general amount of sales for cash, or on credit. An unpleasant economy has been forced on the people—and the wages of the laboring classes, if not diminished, are less promptly paid than heretofore, and many are totally thrown out of employment. All these things have a direct tendency to make money plenty in the banks, though scarce with the public; and the progress of improvement is retarded, and advances in wealth obstructed, in a very serious manner—for it is on an excited industry that these depend.

To present one example of what is just suggested, it may be safely said, we think, that at least 500,000 dollars more were expended on new buildings, in Baltimore and its vicinity, last year, than will be expended in the present year. This whole value is not lost to the public, for some of the working people are engaged in other pursuits—but a large part of the sum is lost, and forever, for lost *time* cannot be regained. And such is the general stagnation of business, that the people, in general, whether of the laboring or dealing classes, would be quite content to end the present year in as good circumstances as they commenced it, suffering a loss of those profits which their industry ought to have enabled them to set aside, or use, for the making of other profits on increased capitals employed. But it may be said that we over-built, last year—that did not appear in the fact that every new house was swiftly occupied; but now a good many are empty, and persons are seeking reduced rents, at the cost of some conveniences which they have heretofore enjoyed. All such things lessen the demand for money, at the banks—but render money more scarce among the productive people.

The Pennsylvania state loan of 1,665,000 dollars, has been taken at \$5 03 premium on every 100 dollars. The loan of last year sold for 13 dollars premium, if we collect rightly. But the late sale of the loan, even at the reduced premium, shews that the banks and moneyed individuals are again able to lend. The bank of the United States too, (as will be seen by an interesting correspondence inserted in a subsequent page), having secured a lofty position, and being able, seems also willing, to use its means for the public relief.

We have prepared, and expect to publish in our next paper, a condensed and *comparative* statement of the commerce and navigation of the United States, for the years ending 30th September, 1831, 1832 and 1833. It

will be of much present usefulness, and of unusual interest, when the tables for 1834 shall be published.

For some time past, New York has been the seat of a few persons calling themselves "abolitionists," who contend for the immediate emancipation of the slaves, and affect to desire an amalgamation between the whites and blacks, &c. They are also bitterly opposed to the colonization project, and have done all that they could to bring it into disrepute, especially with those for whose benefit it was chiefly designed—the free people of color. And as, like other enthusiasts, the abolitionists carried every thing into extremes, they brought about several agitations in the city, and caused a good deal of ill-blood to be engendered—their zeal and temerity standing in the place of numbers, and some unpleasant discussions took place. It is difficult enough to keep the ignorant and easily excited colored population in due bounds—but every violent movement made in their behalf has an inevitable tendency to injure them. They are an unhappy class of men, and no rational hope can be entertained that their condition may be substantially improved in the United States, on account of the prejudice that prevails against their color. They cannot throw off their caste. Why then rouse them into discontents! Why stand so exceedingly opposed to the colonization project, which has for its object an amelioration of the condition of those who embrace it—and affords opportunities for some to obtain rank in society as intelligent freemen, which is unattainable with us? We see no sort of reason why these proceedings should have been had in New York, which is not a slave-holding state—nor any possible good to result from the acts of the abolitionists, but much of evil.

The discussion just referred to prepared the way for the unhappy and disgraceful events that happened last week, a detailed account of which will be found *recorded* in subsequent pages. It will be seen that there was a series of wild riots—that the great city of New York was under the dominion of a mob—that houses were attacked and property destroyed at will, and that a resort was had to military force to support the law. The folly of the fanatics affords no excuse for these things, and the attacks made on some of the people of color, and upon their churches, were highly reprehensible. Order has been restored, however, and we hope that the public peace will not be again disturbed. But those who excite the public feeling, or in any wise cause gatherings of mobs, ought to recollect that it is much easier to produce than to guide or subdue the popular frenzy, which has but little discretion,\* and is influenced chiefly by the presence of a power able and willing to punish offences against the law.

We meet with the following in the papers, as copied from the Boston "Liberator," a paper that we do not see. It is added that the editor vouches for the character of the advertiser, and certifies that he is serious in his proposals, and is actuated by disinterested and generous motives:

A friend of equal rights, is convinced that our colored brethren and sisters are entitled to all the rights and privileges which are claimed by the whites; that prejudice against color is extremely absurd; and that as long as this prejudice exists, its victims will feel the yoke of oppression crushing them to the earth. He takes the liberty also to state, (being himself what is termed a white man), should he meet with a suitable opportunity, he is convinced, that it would be his duty, as it is his determination to bear testimony against this prejudice by marrying a colored woman!!!

Information would be thankfully received of any young, respectable and intelligent colored woman, (entirely or chiefly of African descent), who would be willing to endure the insults and reproaches that would be heaped upon her for being the partner of a white man; and who is either in low circumstances or would be willing to cede all she has or may have of this

\*The following, however, is an evidence of discretion that we feel much pleasure in recording—

The mob that attacked the house of Mr. Lewis Tappan, on Wednesday night, were for a moment arrested in their work of destruction upon the furniture by the discovery, that they were about committing to the flames the "likeness of Washington." A general cry was sent forth—"It is Washington—in the name of God don't burn Washington." The painting was thereupon borne off in triumph by the populace, and safely deposited in a neighboring house.

[N. Y. Commercial.]

world's goods, to the American Anti-Slavery society, that the mouths of gun sayers may be stopped. Information sent by letter (post paid) to E. K. West Chester, Penn. will meet with due attention.

We wish that the gentleman may soon get a wife—in all respects answering his wishes, and that we may have the honor of announcing his marriage. Persons so chivalric ought not to be thwarted in their desires!

On the subject of colored persons we meet with the following paragraph, from another paper—

The free colored emigrants from the United States, who have established a colony at Wilberforce, Upper Canada, have published an invitation for other similar persons to join them.—They represent that their location is healthy and pleasant; that the land is cheap and good; that manufactures are advancing; and that the means of obtaining are great. They invite parents to send their children there for tuition, suggesting that board, washing, mending and schooling can be had for \$1 50 per week.

There is much feeling on account of the mutilation of the figure-head of the frigate Constitution, and we fear that it may be turned into an important public concern, (though probably the unconsulted and unassisted act of a solitary individual, yet unknown), through the indiscretion of political parties!!! One of these laughs immoderately at the proceeding, and the other is immoderately angry about it; and some are erawling enough to compare it with the personal attack that was made on the president, by ex-lieutenant *Randolph*, of the navy. If these had lived in the days of *Tell*, they would have found no difficulty in bowing to the cap of *Gessler*, in the market place, or in bumping their heads nine times on the ground, if required. There is no relation between the two cases; and thousands who would defend the person of the president at the risk of their own lives, see no great harm in sawing off the head of a wooden image.

We think that the placing of the figure of the president on the stem of the frigate, was decidedly wrong—for reasons heretofore assigned; and we also think that the mutilation of the figure was wrong, being an offence against law. But do not suppose that the latter hurt the president much! We have, ourselves, in high tariff and anti-tariff times, been several times burned—in effigy; at the moment of doing which, most probably, we felt "as cold as a cucumber"—and, certainly, had a hearty laugh at a bill of expenses (forwarded from *Alabama*), which we were requested to pay for the honor conferred in burning our figure, clad in homespun clothes!

No discovery has been made of the head, or of the header—whose adroitness and courage was equally remarkable. Rumor, however, says that it was the act of a boy, without counsel or assistant—that he was two hours engaged in the work, during all which he heard the tread of the sentinels, though it rained in torrents; and some particulars are given, as to his operations. How were they known?

Mr. *Ritchie* has a good deal of matter "ahont and about" the rejection of Mr. *Stevenson*; but, so far as our knowledge extends, has not yet said one word concerning certain extracts from some of his own private letters, which, in a most extraordinary manner, were laid before the senate, and published! Many desire to know why such strange proceedings were resorted to, and have expected to hear from Mr. *Ritchie* on the subject. We do not see any right or reason for introducing Mr. *Ritchie's* notions to the senate.

This matter is referred to, by way of answer to several inquiries made of us. Mr. *Tyler* is said to be the member who laid the papers before the senate, probably at the request of Mr. *Stevenson* himself.

Since the commencement of president *Jackson's* administration, he has appointed eighteen new members of the "cabinet"—to wit, four secretaries of state, five secretaries of the treasury, two secretaries of war, three secretaries of the navy, three attorneys general, and one postmaster general.

In president *Adams's* administration he made only four new appointments of members of the "cabinet"—one secretary of state, in his own place, one secretary of the treasury, in place of Mr. *Crawford* who declined a continuance, and two secretaries of war; one of the latter to

supply the place of Mr. *Calhoun*, elected vice president. He found Messrs. *Southard*, *Wirt* and *McLean* in office, and they remained—though the latter was opposed to the election of Mr. A. The postmaster general, however, was not then a member of the cabinet, and it is a subject of much regret that that officer was ever introduced into it.

The Philadelphia "Sentinel" says—

"The editors of the National Intelligencer state that *Martin Gordon*, jr. whose nomination, as collector of the port of New Orleans, was rejected by the senate, will not have attained the age of majority until the 13th of next month. They assert this on the authority of a copy of the register of his baptism in their possession. This, of course, affords a plausible ground of attack on the president, who is represented as either disregarding propriety and fitness in his appointments, or as intending to affront the senate; when the truth most probably is that the president had no other knowledge of the young man, or his age, than was derived from the misrepresentations of friends."

It is a fact, that the junior *Gordon* is yet an "infant" in law—but who was it that dared to "misrepresent" his case to the president, and induce him to nominate a boy for the office of collector at the important port of New Orleans?

The "Sentinel," in its vindication, has suggested the startling fact, that persons are thus permitted to misrepresent things to the president. The naming of the son, after the rejection of the father, (and for the same office), was sufficiently extraordinary, without a concealment of the fact that the son was a child: incapable even of a just administration of a "custom house oath."

There has been a great excitement in Baltimore with respect to the election of directors of the Union bank of Maryland, and for the support or rejection of *Thomas Ellicott*, esq. as president thereof.

The election was held on Monday last, and the board of directors, chosen by a large majority, with great unanimity, on the following day, elected *Hugh W. Evans*, esq. president, in the place of Mr. *Ellicott*.

A better or more popular selection, we think, could not have been made, to supply the vacancy caused.

The Union bank is the deposit bank in this city. Though the question, as to the directory, did not rest upon political considerations—it was noted that among the most zealous of Mr. *Ellicott's* opponents were certain of the most prominent of the friends of the administration, and of the late secretary of the treasury.

We have heard many reasons assigned, or speculations offered, for the excitement and proceedings just mentioned, but cannot meddle with them; though it is probable that some developments will be made that we shall feel it a duty to record.

There is much buzzing about the proceedings of the grand jury, (lately in session some six or eight weeks), which are supposed to relate to the doings of several individuals, as connected with the business of certain institutions that lately failed in this city—concerning some of whom strange things are reported.

Concerning the experiment on the currency, the New York "Commercial Advertiser" said—

The administration presses continue to assert that there is no pressure—that the experiment works well—and that the pet banks perform all that was required of the United States bank without loss or inconvenience to individuals, and with equal facility. Although they and every body else know better, yet this forms no hindrance to its constant repetition. Their hardihood is an overmatch for truth. To refuse for the fortieth time their gross misrepresentations, we state that we this day saw a bill drawn by a judge of the Arkansas territory, for part of his salary, on the treasury department at Washington, for \$300, under protest! The clerk, on refusing payment, said that he was ready to give a draft on Natchez, (attended with three per cent. loss to the drawer), and this offer is entered on the protest!

With reference to the fact stated in the preceding, and to an article on the subject published in the "Globe"—the "National Intelligencer" of Tuesday last observes—

The "experiment" is in effect given up in the official paper of yesterday, by its claiming for the treasury the right to pay the officers of the government in such money as it may have in

the pet banks. Thus the judges in Arkansas are to be paid in drafts on the deposit bank at Natchez, which it will cost them God knows how much per cent. to get cashed, instead of being allowed to draw for their salaries as heretofore, because there is an accumulation of the public money at that point. Why object to paying them here, as heretofore? Because the state banks, employed as deposit banks, cannot transfer the public money free of charge wherever they are wanted; without which capacity they are utterly inefficient as agents to receive and disburse the revenue. The result of the experiment is only less vexatious than the inability to pay the demands upon the treasury any where, or in any manner.

The state banks cannot supply an "uniform currency." It is in vain to attempt it, through them. There may be a "right" in the government to pay its officers their wages in the currency of the places at which they are earned, in the United States—if so understood by the parties; but we agree that the claim of such a right is an admission that the "experiment" has failed—and how it happened that any respectable man thought that it would ever succeed, we are certainly at a loss to determine.

The general appropriation bill contains a clause, forced into it on the motion of Mr. Poindexter, though opposed by every friend of the administration present, one excepted, which declares, that no payments shall be made in bank notes that are not at par value at the places where payment is made. There was a greater necessity for this clause than is generally supposed, and it will correct some great and growing abuses. We see it mentioned in the "Providence Journal," that the crew of a public vessel of war were lately paid off at Portsmouth, N. H. in bills of banks in the extreme parts of N. York, and of the bank of Michigan, which they were compelled to make sale of, at 2 or 3 per cent. dis. before they could buy "even a glass of grog." The same paper adds, that small checks of two, three and five dollars, drawn by public officers on the bank of the Metropolis, at Washington, are distributed through distant parts of the union, and passed off in the payment of demands against the general government! These are queer things—if the facts are truly stated, and we think that they are.

Silk has been advantageously cultivated in Connecticut for several years, and the crop is valuable. There is much room to extend this business. It is profitable, and excellently well fitted for the employment of the spare labor of women and children, not much interfering, or for short periods only, with their usual avocations. Two or three millions of dollars might be easily, and without any seeming effort, added to the annual creation of values in the United States, from this source—an amount exceeding the present product of the "national treasure" in the gold mines, and worth more than all the gold obtained.

We are glad to see that the culture of silk is extending, and observe that it has excited attention at Newark, N. J.—a happy location for the pursuit of this interesting branch of the national industry.

It is not likely that we shall soon, if ever, rival France or Italy, in the production of silk piece goods. At present, perhaps, it is not desirable, even if we could do it. But in the supply of sewing silk, and the less delicate manufactures of this beautiful material, we might soon be rendered independent of all the world. The raw silk, as it is called, makes the most pleasant articles of hosiery that are in use, and the cheapest—for they are the most lasting.

The Baltimore "American," in a paragraph relating to the subject, says—

In considering the present estimation of silk as a common article of clothing for all classes, it is a contrast to recall the extravagant estimates which were placed upon it as a costly luxury in the early stages of the manufacture. One cannot but smile, at reading that amid the enormous luxuries of the emperor Heliogabalus, it is charged against him as a special prodigality, that he wore a suit of clothes, entirely of silk, and that the emperor Aurelian refused the eunuch a dress of the same kind, because of its immense cost. The Lowell factory girls, who "strike" for wages, now clothe themselves with a material which was too costly for the empress of the world!

There was another great fire in Pearl street, New York, on the 8th inst. The flames suddenly burst out with great fury, and two huge five story stores were soon a mass of ruins, the walls falling with tremendous crashes—by one of which a three story house was crushed.

The total loss is estimated at 250,000 or 300,000 dollars, a very small part of the contents of these stores being saved.

Thousands of acres of the rich lands on the Seioa were flooded on the 4th of July, and many cattle, sheep and hogs, with the crops, swept away—and so were many bridges. The canal and its feeder were also much injured. The damage is great.

A terrible tornado was felt in Luzerne county, Pennsylvania, on the 2d inst. Its force, is shewn from the fact, that, out of nearly 30 buildings in the village of Centreville, only three or four withstood its violence. Many persons were injured by the falling timbers, &c.

There have been 38 cases of small pox, and 41 of varioloid, at Providence, introduced by an Irish woman. The small pox cases had all been severe, and 11 terminated mortally. The varioloid cases were light. The diseases had not yet disappeared, but were diminishing.

A late New York paper says that, at the time of the "Morgan affair" there were six hundred regular masonic lodges in that state—but, at the present time, only fifty are in operation. And at the late grand procession in the city, in honor of the memory of LAFAYETTE, only about 100 masons marched in it.

The work near Newport, a fortification of the first class called "Fort Adams," has been resumed, and 400 persons are employed on it.

The collector of Newport has resigned his office. The Mercury says—The reasons which have induced him to take this step, we understand are, that, from the recent reduction of the duties, the emoluments of the office will be reduced to so small a sum that it will be inadequate to pay the necessary expenses of the office.

The appropriations at the last session, on account of fortifications, amount to 870,000 dollars.

We have remarked that the late national anniversary was more generally observed than usual—and, in many places, with unprecedented splendor and effect; but we are reminded that, at the city of WASHINGTON, all was dull and dreary, without example, since the seat of the federal government was transferred to that place.

We think that we have seen accounts of not less than twenty persons either killed, or wretchedly maimed, (some losing both arms, and others one), by the careless or unskillful firing of cannon on the late anniversary.

A collection was taken up in Dr. Channing's church, in Boston, on Sunday week, for the benefit of the Poles, and \$2,432 collected.

In the contribution plate of Dr. Channing's, church, in Boston, on Sunday, was found a bank check, in the following words—

"Pay to count Pulaski, my commander at the battle of Brandywine, his brethren, or bearer, one hundred dollars."

The individual who gave the above sum is col. Henry Parkett, who was a sergeant in Pulaski's troop, and shared the confidence of his great commander. He is now eighty years of age.

There are now three vacancies in the Connecticut delegation in congress—Mr. Foot, elected governor, Mr. Huntington, appointed a judge of the supreme court, and Mr. Ellsworth, who intends to devote his time to his profession. We wish that the places may be as well filled as they have been. The gentlemen named belonged to the working class of members—but in the latter selections of committees had not many, or full opportunities, to shew their works.

Gen. Vance, a member of the house of representatives from Ohio, announces that he will not be a candidate for re-election. All who know this gentleman will regard his retirement as a public loss. He is one of the few working members of congress, to some 20 or 30 of whom

the people are more indebted than the fifties of talkers, and *aye-and-no-men*.

The celebrated *Frederick Rapp*, esq. recently died at Economy, Pa. the seat of the "Harmonists," in the 60th year of his age. He was a very strong-minded and intelligent man, and, we believe, a most scrupulously honest one. He was the chief actor or agent for the Harmonists, whose peculiar habits have been often described, and to whom his loss will, probably, be irreparable, as a society.

George B. Porter, esq. governor of Michigan, died at Detroit on the 5th inst. much respected by the people among whom he lived.

The first four days of last week were extraordinarily hot. A good many persons were found dead on the roads, or in the fields—and others died suddenly in the streets of the cities from drinking cold water. The latter was particularly fatal to newly arrived foreigners. A New York paper published an account of thirty persons and eight horses, who suddenly died in that city, on the 9th inst. which was probably short of the real number, in a considerable amount. In some places, the thermometer stood at nearly 100 degrees of Fahrenheit, on the 8th. This was the hottest day at Baltimore, but the excessive heat of these four days was almost equally felt from Boston to Richmond.

Unless on account of these sudden deaths, the cities on the Atlantic coast are usually healthy.

Steam carriages, for common roads, seem about to become common, in England. A rail road was thought by many to be the *ne plus ultra* as to transportations—but who shall place limits to the progress of scientific power? Who, seeing what we have seen in the last 40 or 50 years, dare undertake to say that perfection has been even nearly attained?

The following articles are from late London papers:

*Steam carriages.* These wonderful machines are now constructed with sufficient mechanical skill, amount of power, safety and general efficiency, to insure their successful employment on any good road; and it is certainly time for our capitalists to turn their attention to them as legitimate objects of support, and as offering the means of a profitable investment. From the earliest development of the capabilities of steam, as applicable to purposes of locomotion, on properly constructed roads, we have carefully watched the progress made by different inventors, and have on many occasions borne testimony to the unceasing efforts of two of the most persevering and deserving among them; of two who have from time to time, promised less and performed more than any of their contemporaries—we mean col. Macerone and Mr. Hancock.

On Saturday we had a trip on the Edgeware road, with the second coach constructed by the gallant colonel. Starting from the Paddington wharf, No. 19, we proceeded on the road in the most surprising style, the coach turned, checked, stopped, or having its speed increased, under the complete command of the conductor. About three miles out we passed a stage coach whose four horses were put to their utmost speed, with a comparative velocity to that with which the stage coach would have passed a wagon, our rate being at that time about 18 miles an hour. Soon after this we ascended Windmill hill with perfect ease; although, in consequence of the road undergoing repair, the part we had to ascend was cut into deep ruts, and covered with dry soil and dust from three to six inches deep; forning, perhaps, the most uncertain and disadvantageous fulcrum on which the wheel of a steam carriage could ever have to act.

We arrived at the Welch Harp Inn, which is several perches over the five miles from our starting place, and turned the coach in the direction of Paddington, in precisely twenty minutes, having performed the distance, inclusive of stopping at the turnpike, and on two other occasions, of the best condition of Windmill hill, at the extraordinary average rate of fifteen miles an hour. Our return occupied the same period of time; and after this completion of the trip, we made the round of Paddington green, to gratify some gentlemen who had not arrived in time to witness the more extensive trial. Among our fellow passengers on these occasions, were Jerome Bonaparte, ex-king of Westphalia, prince Jerome, his son, the duke de Montfort, the marquis Azolino, M. Vigne de Marveille, and other distinguished foreigners.

Mr. Hancock's "Autopsy" was seen, on Saturday last, in Chesapeake, wending its way with the greatest adroitness amidst the multitude of carriages with which that thoroughfare is crowded. A stronger proof of its manageableness could not possibly have been afforded. We understand that it was on its way from Stratford to its old quarters in the city road, prepara-

tory to its being again started to run for hire, in conjunction with two or three other carriages, between the city and Paddington. Mr. Squires has, we are informed, sold out, and left col. Macerone sole proprietor of the steam carriage *Prodigy*, which did the 1,700 miles without requiring a shilling for repairs, &c. &c. A new steam carriage has just entered the field, constructed by Mr. Redmond, who, some time ago, advertised that he was willing to furnish locomotives to run on common roads at any required speed, although he had never tried the experiment.

*The rail ways.* A speed of forty miles an hour with a light load, has been obtained upon the Manchester railway, and Mr. G. Stephenson, the engineer, has stated his opinion that an engine might be constructed to run 100 miles within the hour, although he acknowledges that "at that rapidity of motion the resistance of the atmosphere would be very considerable." Engines are now made with eight times the power of the Rocket, yet with little more weight resting on each rail, the load being equally divided upon six wheels, and the machinery placed in a more advantageous situation than formerly. The tubes of the boiler are made smaller and more numerous, and of brass instead of copper. The last engine put on the railway ran 23,000 miles with the most trivial repairs, making every day four or five journeys of 30 miles each.

The following is extracted from a letter dated Sunbury, Pennsylvania, July 8, and announces a very important discovery which may do away the great and fearful objections to the use of inclined planes, on rail roads:

"I have just seen and examined the model of a rail road car, invented by Mr. Jacob Bright, of Sunbury, which offers fair to render travelling and transportation over inclined planes entirely free from danger. On the inner side of the wheel or flange, *nicks* or *cogs* are constructed, upon the principle of the *rag wheel* of a saw mill. Iron *clicks* or "*dogs*" are attached to the body of the car, which standing in an inverted position, alternately fall into these nicks as the car ascends or descends a plane, and in case of accident, by becoming detached, lock the wheels, and instantly stop their progress. No matter what may be the elevation of the plane, or the number of cars attached, whether one or the whole should break loose, they at once, by the operation of breaking, become locked.

It is generally believed by all who have examined the model, that the discovery is a very important one, and that it will entirely remove the difficulties and danger of crossing very elevated planes, and which have recently caused so much uneasiness in the public mind.

Application, I understand, has been made for a patent, and that measures will soon be taken by Mr. Bright, to introduce the cars, which I doubt not will soon be found in general use upon the rail roads of our country." Yours, &c.

Mr. George Stevenson, civil engineer, recently stated to a committee of the British house of commons on the great western railway, that by that rail, should it be completed, 10,000 soldiers might be conveyed from London to Bristol in four hours.

*Wool.* The unsettled and fluctuating state of the wool market, occasions some little solicitude among the growers. Wool at present prices is twelve to fifteen per cent. less than last year, and the question now is whether prices will rise or fall the ensuing autumn. Some of the wool growers are confident that it will rise, and so hold on upon their stock, while others, less sanguine, are selling their fleeces, unwilling to keep it on hand, trusting to future exigencies. The case seems to be this. The manufacturers have unsold a large amount of cloths, the prices of which have fallen materially, and even at a great reduction they are unable now to sell them. They all have remaining considerable lots of wool, and are determined to purchase only to supply urgent necessities. They believe that large quantities of the new clip will early be thrown into the market, and that the wants of individuals will require it to be sold. It is conceded on all hands, that an unusual amount of wool is cut this year, and that the quantity of cloth manufactured is much less than in ordinary times. The manufacture will not be extended until the sale of cloth is much increased, and consequently the demand for wool will not be greatly extended at present.

Manufacturers inform us that prices as they now are, but poorly repay the actual expenses of the fabric, and that wool must fall before they shall be disposed to extend their business. The disposition now is to entail it, as they are working at no profit. One of these gentlemen informed us the other day that he was on his way to Philadelphia, expecting to purchase Ohio wool in that city at much less than the article can be procured for in this vicinity. We know it is hard for the toil of the wool growers to be thus poorly rewarded. But it comes from the necessity of the times, that they must suffer as others suffer. They are not alone in a ruinous depreciation of their industry. Beef cattle has fallen, grain has fallen, and wool of necessity has fallen also. If there was any evidence, either in the signs of the times or the prices of manufactured articles, either at home or abroad, that wool would materially rise, we should most cheerfully say so. But it is not wise to hold out allurements which are both false and deceptive to our pecuni-

ry interests. We therefore would seasonably caution the wool grower against a too confident reliance upon the expectation of better prices, so much so as to allow favorable opportunities for the sale of his commodities to pass unimproved.

Since writing the above, a wool grower from the hill towns passed by with his new clip for the manufacturers in Worcester county. He informed us he was paid 50 cents, having sold the same last year for 70¢. His remark was, that it was wise for him to sell while there was a chance, before the market was glutted with Ohio wool. He might not have even another such opportunity. [Northampton (Mass.) Courier.]

To give advice unasked, is, sometimes, unpleasant, though it may be a seeming duty: but without regard to the location of the growers of wool, (and we say also the same thing to the growers of wheat), we think that their true policy is to make sales immediately, if reasonably fair prices can be obtained. We have an equal regard for the manufacturers of wool, but they have better opportunities of calculating the markets than the growers, and for determining the effects of the paralysis on business, in the depressed price of cloths, or any advances that may take place in consequence of lessened importations. But after all, whether in regard to wool or woolsens, the rightful proceedings appear to us extremely doubtful, and it seems that a middle course is the only safe one, for either party.

Ed. Reg.]

**BANKS IN NEW HAMPSHIRE.** By the report of the committee on banks, which has been printed by order of the house of representatives, we learn that the aggregate of Real estate owned by the banks, is.....\$82,359 06  
Debts due to them.....3,450,820 22  
Specie in their vaults, and in Boston banks.....354,390 12  
Bills of other banks.....92,623 08

The aggregate of the capital stock paid in, is.....\$3,980,193 48  
Deposites.....2,454,300 80  
Bills in circulation.....1,063,145 50  
Balance in favor of the banks.....\$3,832,424 55  
[Exeter News Letter.]

**LAND SALES.** Saturday's Globe contains upwards of three columns of land office notices of sales of public land, to be held as follows:

In *Alabama*, at Mardisville, the seat of the land office for the Coosa district, on the first and third Mondays in November next: at Montgomery, the seat of the land office for the Tallapoosa district, on the first and third Mondays in December next: at St. Stephens, on the first Monday in December next: at Demopolis, on the third Monday in December next: at Tuscaloosa, on the first Monday in December next: at Huntsville, on the second Monday in December next: at Cahaba, on the first Monday in December next.

In *Mississippi*, at Choctehuma, the seat of the land office for the northwestern district, on the first Monday in December next: at Columbus, the seat of the land office for the northeastern district, on the first Monday in December next: at the same place, in continuation, on the third Monday in December next: at Augusta, on the first Monday in December next: at Mount Salus, on the second Monday in December next.

In *Indiana*, at Crawfordsville, on the second Monday in November next.

In *Illinois*, at Palestine, on the fourth Monday in November next.

In *Missouri*, at Jackson, on the first Monday in December next: at St. Louis, on the second Monday in December next: at Fayette, on the third Monday in December next.

In *Michigan*, at Mineral Point, on the second Monday in November next: at Detroit, on the third Monday in October next: at Bronson, on the third Monday in October next.

In *Arkansas*, at Washington, on the first Monday in December next: at Fayetteville, on the first Monday in December next: at Little Rock, on the third Monday in December next.

In *Florida*, at Tallahassee, on the first Monday in December next: at the same place, in continuation, on the third Monday in December next: at St. Augustine, on the second Monday in December next.

The Montreal Gazette contains some particulars of two other losses at sea, not hitherto reported. One, the *Proselyte* of Limerick, with 223 passengers, all of whom have been safely landed at Richibucto, (Nova Scotia), in a lamentable state of misery, and the other name unknown, and her destination described, as being from the west of England with two hundred and eighty passengers, seven of whom only are saved.

The following is a more particular account of one of the cases just above alluded to—

*Richibucto, May 31.* The brig *Juno* took from a wreck at sea 233 passengers, all of whom were in a dreadful state of misery. One female whose husband was lost, was actually delivered in the boat, and the infant was brought into port in a state of perfect nudity. Provisions and water so short on board the *Juno*, that all were put on short allowance, and when the vessel ar-

rived in port, and the passengers obtained water, they drank with such avidity that alarm was entertained at the consequences. They were so crowded, that none enjoyed the comfort of lying down; but all were stowed in a sitting posture, the foremost men between the hindmost's legs.

Captain Stewart, the wandering piper, has been in this country a little over a year, and has already contributed over \$7,000, in small sums, for charitable purposes—the avails of his labors.

**FRANCE.** French silks exported to England. It is not so stated, but we suppose that the value in francs is shewn. For ordinary purposes, 5 francs may be counted as equal to one dollar.

1818.....	1,744,105
1819.....	2,713,583
1820.....	2,727,748
1821.....	2,815,178
1822.....	3,516,328
1823.....	2,901,670
1824.....	3,856,465
1825.....	6,104,103
1826.....	7,586,421
1827.....	11,460,119
1828.....	17,311,810
1829.....	10,483,777
1830.....	15,204,388

**HOLLAND.** On the 1st of January last, the Dutch navy consisted of 61 large ships; namely—2 vessels of 84 guns; 6 of 74, (including three on the stocks); 16 of 44; 7 of 32; 12 of 24; 4 of 20; 10 of 18; 1 of 12; 1 of 9, and 2 of 8 guns; besides gun boats, a vessel used as a naval school, 2 steamboats and 4 transports. The personnel is composed of 1 admiral (prince Fredric), 4 vice admirals, 7 rear admirals, 26 captains, 32 captain-lieutenants, 71 first lieutenants, 171 second lieutenants, 89 cadets of the first class (amongst whom is prince William Fredric Henry), 4 surgeons-en-chef, and 50 other medical officers.

**Population.** A return just published states the following to have been the population of the kingdom of Holland on the first of January, 1833, exclusively of Linburg and Luxemburg:

North Brabant.....	349,700
Guederland.....	315,053
North Holland.....	419,424
South Holland.....	486,520
Zeeland.....	137,314
Utrecht.....	131,836
Friesland.....	212,544
Obcrnyssel.....	181,361
Gronzege.....	162,085
Dreuteh.....	65,397
2,460,921	

In 1832, the number of births was 78,098; marriages 14,969; and deaths 71,266. The increase of population, therefore, between the 1st of January, 1832, and the 1st of January, 1833, did not exceed 6,832 souls. It may be added, as matter of comparison, under existing circumstances, that the population of Belgium amounted, on the 1st of January, 1832, to 4,140,121 souls; and that the estimate for the expenses of the war department for the present year is £1,600,000, inclusive of 600,000 for extraordinary disbursements.

**HANOVER.** The total disbursements of this kingdom amount to 3,390,800 dollars, or about £736,200, of which £353,000 are supplied by the royal treasury, and the remainder out of the public revenues. Amongst the items of expenditure we observe a sum of about £1,900 for the expense of the "German chancery in London," and of £227,960 for that of the "war department."

**RUSSIA.** The St. Petersburg Journal states, that 160,105 children of soldiers and recruits were educated at the expense of the crown in the year 1832. During an interval of eight years, 4,342 such children were brought up as clerks in offices, 2,308 as assistant surgeons; 452 as land surveyors, 586 as shipwrights, and 120 as musicians.

FOREIGN NEWS.

From London and Liverpool papers to May 31st inclusive.

GREAT BRITAIN AND IRELAND.

The bill removing the civil disabilities of the Jews has had a second reading in the house of commons, by a decided majority.

The Grey ministry had been partly broken up in consequence of a difference of opinion existing in the cabinet upon the subject of the appropriation of church property in Ireland. Two resolutions had been presented in parliament of a counter tendency. The one declaring that the church establishment in Ireland exceeded the wants of the Protestant population, and that the temporal possessions of the church of Ireland ought to be reduced; the other affirming that the property now possessed by the church had been set apart by their ancestors for religious and moral purposes, and ought to be preserved as such. The supposed inability of ministers to sustain themselves against

the first resolution, is said to have led to the resignations of Mr. Stanley, sir James Graham, the duke of Richmond, lord Melbourne and earl Ripon, which had been accepted by the king.

The following has been announced as the new ministerial arrangements:

The earl of Carlisle to be lord privy seal.  
Mr. Ellice, secretary of war, to have a seat in the cabinet.  
Mr. Spring Rice, colonial secretary, with a seat in the cabinet.

Lord Auckland, first lord of the admiralty, with a seat in the cabinet.

Mr. Francis Baring, (son of sir Thomas Baring) to succeed Mr. Spring Rice, as secretary of the treasury.

Mr. More O'Ferrall, an Irish Catholic, succeeds Mr. Baring, as junior lord of the treasury.

Earl Grey and lord Brougham, it is believed will retain their present posts. A large number of the most respectable members of the house of commons had addressed a letter to the former requesting that he would not resign, and expressing the highest confidence in him. Amongst the signers were many of those who were opposed to his administration.

The following is the substance of the king's speech, delivered to the prelates of the church, who on the 29th May waited upon him with an address in honor of his birth day.

After a short conversation, in which his majesty said, amongst other things, "I now remember you have a right to require of me to be resolute in defence of the church," the king proceeded:—

"I have been, by the circumstance of my life, and by conviction, led to support toleration to the utmost extent of which it is justly capable; but toleration must not be suffered to go into licentiousness; it has its bounds, which it is my duty and which I am resolved to maintain. I am, from the deepest conviction, attached to the pure Protestant faith which this church, of which I am the temporal head, is the human means of diffusing and preserving in this land.

"I cannot forget what was the course of events that placed my family on the throne which I now fill. These events were consummated in a revolution which was rendered necessary, and was effected, not, as has sometimes been most erroneously stated, merely for the sake of the temporal liberties of the people, but for the preservation of their religion. It was for the defence of the religion of the country that was made the settlement of the crown, which has placed me in the situation that I now fill; and that religion, and the church of England and Ireland [Ireland with peculiar emphasis], the prelates of which are now before me, it is my fixed purpose, determination, and resolution, to maintain.

"The present bishops, I am quite satisfied (and am rejoiced to hear, from them and from all, the same of the clergy in general under their government), have never been excelled at any period of the history of our church by any of their predecessors in learning, piety or zeal, in the discharge of their high duties. If there are any of the inferior arrangements in the discipline of the church, which, however, I greatly doubt—[the expression of doubt was again delivered by his majesty with great emphasis]—that require amendment, I have no distrust of the readiness and ability of the prelates now before me to correct such things; and to you, I trust, they will be left to correct, with your authority unimpaired and unshackled.

"I trust it will not be supposed that I am speaking to you a speech which I have got by heart. No, I am declaring to you my real and genuine sentiments. I have almost completed my 69th year; and though blessed by God with a very rare measure of health, not having known what sickness is, for some years, yet I do not blind myself to the plain and evident truth, that increase of years must tell largely upon me when sickness shall come. I cannot, therefore, expect that I shall be very long in this world. It is under this impression that I tell you, that while I know that the law of the land considers it impossible that I should do wrong—that while I know there is no earthly power which can call me to account—this only makes me more deeply sensible of the responsibility under which I stand to that ALMIGHTY BEING, before whom we must all one day appear. When that day shall come, you will know whether I am sincere in the declaration which I now make, of firm attachment to the church, and resolution to maintain it.

"I have spoken more strongly than usual, because of unhappy circumstances that have forced themselves upon the observation of all. The threats of those who are enemies of the church, make it the more necessary for those who feel their duty to that church to speak out.—The words which you hear from me are indeed spoken by my mouth, but they flow from my heart."

His majesty was affected to tears during the delivery of this declaration, and concluded the interview by inviting the prelates to partake of the holy communion with him at the Chapel Royal, on Tuesday, the 22d of June.

The ratification of the treaty between England, France, Spain and Portugal had been received in England.

There had been a temporary scarcity of money in London. Disturbances prevailed in Ireland. The people of England, as well as of Ireland, are resolutely bent on a separation of church and state, and of driving the bishops from the house of lords.

It is rumored that O'Connell is about to take office.

#### FRANCE.

The French chambers were dissolved on the 24th of May, and the papers were occupied with the discussion of the proba-

ble results of the new elections, which were to take place on the 21st June. The new chambers will meet in August.

Mr. Armand Carrel, the editor of the *National*, had been served with a writ from the court of peers, for the inspection of his papers.

The prospects of an abundant harvest of both vineyards and corn lands, were extremely favorable.

The French government has at last given up the original papers of the American ships illegally captured, and consented to give us copies of the decisions by which the condemnations of those vessels were made. Mr. Selgwick, the bearer of despatches from our minister, Mr. Livingston, has arrived in charge of these papers.

#### SPAIN.

The convent of the Holy Ghost was being put in readiness for the chamber of the *Procuradores de la Reina* to set in. The queen regent had convoked the cortes, to assemble on the 24th July, and the friends of free principles anticipate important political results.

The queen's troops had been successful in all directions, forcing the Carlists to seek safety in flight.

#### HOLLAND AND BELGIUM.

The affairs of these nations are still unsettled, and many persons of distinction and enterprise were removing in consequence of the burthensome taxes, which are rendered necessary to support two kingly governments in a territory not large enough to sustain one. Some rumors prevailed of an attempt to re-establish the Orange dynasty in Belgium, which it is affirmed had gained nothing by the change of masters.

#### LATER NEWS.

From Cadiz to the 2d June, Madrid the 28th May, and Lisbon to the 27th May, all inclusive.

#### SPAIN AND PORTUGAL.

After the evacuation of Castel-o-Branco by the troops of Don Miguel, on the approach of the Spanish troops under gen. Rodil, the latter marched upon Seiceira, where he gained a victory on the 16th May over a body of Mignelites. This victory was so decisive as to compel Don Miguel to abandon his position at Santarem, and subsequently to stipulate for his retirement from the Portuguese territory. On the 27th May gen. Sandanha arrived at Lisbon with the interesting news of the surrender of the army of the usurper. This intelligence had occasioned universal joy at Lisbon. Both Don Miguel and Don Carlos, had fallen into the hands of the Spanish troops at Evora, having been delivered up by their own men. Four wagon loads of silver had been captured. Don Miguel had been granted permission to embark at any port, and in any vessel of the allied nations. He had selected the port of Sines, or some other port in Algarves, and an English vessel. Don Carlos, who claimed the protection of the secretary of the English legation, had proceeded with his family to Lisbon, where instructions had already arrived from the British government, applicable to such a conjuncture.

#### STILL LATER.

From London papers to the evening of the 5th June, inclusive. GREAT BRITAIN AND IRELAND.

The resolution submitted by Mr. Ward, declaring the church establishment in Ireland greater than demanded by the Protestant population, and that its property should be appropriated to other uses, was defeated on the resumption of the discussion of the subject on the 2d June. After admitting the difficulties under which ministers had labored owing to divisions among themselves, on the presentation of Mr. Ward's resolution, lord Althorp communicated to the house of commons, the information that ministers had issued a commission to collect and report accurate information as to the condition of the church property, and pledged ministers to a thorough reform of the church government in Ireland, when the necessary information to justify legislation should be collected. A debate of an animated character ensued, which was cut short by a call of the previous question, and sustained by a majority against Mr. Ward's resolution of 276.

The queen of England was to visit Germany in the early part of July, instant.

A motion to institute an inquiry into the cause of drunkenness was negatived, on the ground that it was not a subject of legislation.

The chancellor of the exchequer had expressed the willingness of government to vote relief to the Polish exiles.

An address signed by 230,000 of the lay subjects of the king had been presented to his majesty, praying him to preserve the national church in the integrity of her rights and privileges, and in her alliance with the state.

The weather was unfavorable and the crops had been injuriously affected.

#### PORTUGAL.

The following is the official copy of the amnesty granted by the constitutional government of Portugal:

Desiring to give an irrefragable testimony of clemency, and of the sentiments of love and indulgence with which my heart is constantly filled on behalf of the Portuguese, who, deluded or misled by error, by interested passions, or by extraordinary circumstances, have adhered to the usurpation until the moment of its final downfall; and being resolved on this great act at the very moment of the most signal victories, impelled thereto solely by my ardent desire to rally around the throne of my august daughter all minds, all wills and all hearts, with an entire oblivion of past crimes and opinions; and having heard the

council of state, I have thought fit, in the name of the same august senhora, to declare as follows:

Article 1. A general amnesty for all political offences committed since the 31st of July, 1836, is granted to all persons who may submit, or shall offer to submit, to the government of her most faithful majesty within forty-eight hours after the promulgation of this decree in the chief places of the districts (Cabeças de Concelhos), by presenting themselves to the local authorities, from whom they will receive safe conducts, such persons not having been previously obliged to submit by force of arms. Those who do not avail themselves of this amnesty remain subject to the rigor of the laws.

Sec. 1. The execution of the decree of the 31st of August, 1833, is suspended with respect to the persons comprehended in the amnesty, until the cortes shall deliberate on their case.

Sec. 2. They shall have possession of their property, but not power to alienate the same until the decision of the cortes.

Sec. 3. The amnesty does not include restitution of ecclesiastical, political and civil offices, nor of crown property, nor of orders, commanderies and pensions; neither does it extend to offences against individuals, nor exempt from responsibility to the prejudice of third parties.

Art. 11. The military officers comprehended in the amnesty, who shall, within the period prescribed in article 1, swear fidelity to the queen's government, shall retain their commissions legally conferred, and the government will provide for their subsistence in proportion to their rank.

The ministers and secretaries of state of all the departments are to hold this decree to be thus understood, and cause the same to be executed.

DON PEDRO, duke of Braganza,  
BENTO PEREIRA DO CARMO,  
JOSE DA SILVA CARVALHO,  
AGOSTINHO JOSE FREIRE,  
JOAQUIM ANTONIO D'AGUIAR,  
FRANCISCO SIMOENS MARGIOCHI.

Palace of the necessidades, May 27, 1834.

EXPORTS OF COTTON.

The quantity of cotton exported in 1833, was a little larger than in any preceding year, and its value nearly as great as in the speculation-year of 1825—but the quantity was very different.

In 1825—Sea Island	lbs.	9,665,278	
Other		166,784,629	
			lbs. 176,449,907
			Value—dollars 36,346,649
1833—Sea Island		11,142,987	
Other		313,555,617	
			lbs. 324,698,604
			Value—dollars 36,191,105

Less in quantity 148 millions of pounds in 1825!—but greater in value 155,000 dollars, as compared with 1833.

The following is a schedule showing the value of the cotton exported in each year, from 1821 to 1833, inclusive.

Year	Sea Island.	Other.	Value.
1821	lbs. 11,344,066	lbs. 113,549,339	\$20,157,484
1822	11,250,635	133,424,460	24,035,058
1823	12,136,688	161,586,582	20,445,520
1824	9,525,722	132,843,941	21,947,401
1825	9,665,278	166,784,629	36,346,649
1826	5,972,852	158,562,563	25,025,214
1827	15,140,798	279,169,317	29,359,545
1828	11,288,419	199,302,044	22,487,229
1829	12,833,307	252,003,879	20,575,311
1830	8,147,165	290,311,937	29,674,883
1831	8,311,762	268,668,022	25,289,492
1832	8,743,373	313,471,749	31,724,682
1833	11,142,987	313,555,617	36,191,105
Average price of cotton 1825			21 cents.
1833			11 "

To the editor of the Liverpool Mercury.

Sir: As it may not be unamusing to your readers, I beg to lay before you and them (provided you do me the favor to insert it in your valuable paper) the subjoined statement, obtained from an experienced and intelligent merchant, illustrative of the rapid increase of the growth of cotton. One of our brokers, of unquestionable industry and talent, estimates the population deriving employment from this source, to be one and a half millions of persons of both sexes; but I do not hesitate to state that at least three millions derive, in one way or other, a livelihood from its extensive introduction into this country. And, as equally interesting and curious, I have to add that, by treaty, this now very important staple article of commerce was stipulated, in 1794, not so to be imported into this country, as will be seen from the following extract:

EXTRACT FROM TWELFTH ARTICLE.

"Provided always, that the said American vessels do carry and land their cargoes in the United States only, it being expressly agreed and declared, that, during the continuance of this article, the United States will prohibit and restrain the carrying of any molasses, sugar, coffee, cocoa or cotton, in American vessels, either from his majesty's islands, or from the United States, to any part of the world, except the United States, reasonable sea stores excepted." "Dated at London, November 10, 1794.

JOHN JAY, X. Z.

I am, sir, your obedient servant,  
Rumford street, January 16, 1834.

The following is an account of the cotton imported into Liverpool from the United States of America:

[In 1785	5 bags	In 3 vessels.
1786	6 bags	in 2 vessels.
1787	108 bags	in 6 vessels.
1788	289 bags	in 3 vessels.

401 total in 4 years.

The vessels' names are given, &c, but it does not seem useful to repeat them.]

In 1822, 292,300 bags into Liverpool. The growth of the states is about 550,000 bags, of nearly three hundred weight each, which is principally worked up in Great Britain: 80 to 100,000 bags in the U. States, and about the same quantity on the continent of Europe. General Payer, a proprietor of an extensive estate in Barbadoes, took the seed from thence to Georgia, soon after the peace of the American war, which was the beginning of the growth of cotton in the United States. There is every probability of an increased growth to meet the increased demand that there appears to be for it; and reference to the annual statement issued under date of the 31st December, 1833, will show that the growth has increased so rapidly, and by consequence the consumption also, that the import from the United States during that year is 620,501 bales.

THE LAW OF NATURE—OR SELF PRESERVATION.

A large number of persons, citizens of the United States, but of no particular state or territory, and without the pale of the regular operations of the law, are collected at a place called *Dubuque's mines*, west of the Mississippi, and north of the state of Missouri.

But they feel the necessity of law, and in the matter stated in the following narrative, gave effect to what they regarded as the law, even in its extreme operation.

We record it as a curiosity.

From the *Galenian*, June 23.

TRIAL AND EXECUTION OF PATRICK O'CONNOR.

On the 25th ult. at about 5 o'clock, P. M. report was that Patrick O'Conner had killed George O'Keefe, upon which, by agreement of the citizens, near the tragic scene, an inquest was held over the body of the deceased, and the verdict rendered by the jury was, that the deceased came to his death by being shot by Patrick O'Conner.

O'Conner was arrested by mutual consent of all parties, and, on the next day, was duly tried, by a jury of twelve citizens, taken from the multitude. Privilege was given to the prisoner to object to all such as he chose not to be tried by, and he made no objections to the mode of trial. He was allowed the privilege of choosing a friend to counsel with him, and assist in conducting the trial.

After the jury were sworn, the witnesses were called, and testified as follows:

On the 29th of May, (a rainy day), George O'Keefe, the partner in business, and resident and joint owner of the same house with O'Conner, and two of the witnesses, also residents of the same house, came home from the village of Dubuque, and found the door of the house bolted. On asking O'Conner to admit them, he (O'Conner) refused them admittance. They still so solicited admittance, but were as often refused. The rain falling rapidly, they commenced pushing the door till it opened. And, on the instant the door came open, O'Conner fired, and O'Keefe fell dead. He only lived to say "Lord have mercy." A ball, or slug, from the same fire, passed through the clothes of one of the witnesses. The witnesses then gave the alarm, the neighbors collected and arrested the prisoner.

The gun which he fired, belonged to one of the witnesses, and when they left the house, about three hours previous, it was not loaded, nor were there any balls suited to the calibre of the gun (musket). There were seven perforations through O'Keefe's body, supposed to be made with slugs of lead.

It was proved that at some time prior to the murder, O'Conner stated to one of the witnesses, "that a certain piece of paper with which he had been presented by O'Keefe, [believed to have been a writ of arbitration issued by the assistant superintendent of the lead mines, to settle a difference between O'Conner and O'Keefe, which is the usual means adopted for such purposes], would yet prove O'Keefe's death warrant." It was also proved that during all the time of variance between O'Conner and the deceased, the conduct of O'Conner towards O'Keefe was rough, abusive and disorderly, while O'Keefe treated O'Conner with great forbearance and mildness, but no quarrel had taken place between them on the day of the murder. It was also proved that O'Conner, on the same evening of the murder, said he was glad he had killed O'Keefe, and wished he had killed one or two more, but after being spoken to and reprimanded for such expressions, then expressed a regret that the affair had happened.

The jury then retired, and after a session of about two hours, returned the following verdict.

We, the jury selected to try Patrick O'Conner, for the murder of George O'Keefe, on the 29th inst. after examining the witnesses on oath, and attentively hearing and considering the testimony against the prisoner, do unanimously agree that the said O'Conner is guilty of murder in the highest degree, and are of opinion that the said O'Conner has done an act which, in a land of laws, would forfeit his life. And inasmuch as the



security of the lives of the good citizens of this country requires that an example should be made, to preserve order and to convince evil disposed persons that this is not a place where the lives of men may be taken with impunity—we are of opinion that the said O'Conner should be carefully secured until the 20th day of June, and that, at the hour of 12 o'clock, of said day, the said Patrick O'Conner be conducted to the place of execution, and there he hung by the neck until he is dead.

WOODBURY MASSEY,  
M. L. ATCHESON,  
JAMES SMITH,  
JESSE M. HARRISON,  
JAMES McCABE,  
NICHOLAS CARROLL,  
J. B. WEBBER,  
AMBROSE M. BEEKER,  
SAMUEL W. BAIRD,  
WILLIAM COLLINS,  
THOMAS CHILD,  
THOMAS McCRANY.

Dubuque, May 30, 1834.

The following are the proceedings of a meeting held prior to the execution, for adopting the necessary measures, &c.

Dubuque, June 17, 1834.

At a meeting of the citizens of Dubuque's mines, held this day, pursuant to a public notice, Milo H. Prentice was called to the chair, and Wm. A. Warren appointed secretary.

The object of the meeting having been duly explained by Milo H. Prentice, the following resolutions were unanimously adopted:

Resolved, That L. Wheeler be requested to take command of a company of volunteers, to act as guard at the execution of Patrick O'Conner, on the 20th inst.

Resolved, That the chairman appoint a committee of three, to make the necessary arrangements for the execution and burial of said Patrick O'Conner.

Committee—W. J. Madden, Thos. R. Brazer and James Langwothy.

Resolved, That Henry Adams be requested to act as sheriff on the day of execution.

Resolved, That a committee of three be appointed, to collect sums to defray the necessary expense that shall occur for the keeping, executing, burial, &c. of said O'Conner.

Committee—M. L. Atcheson, J. S. Larein and Wm. A. Warren.

Resolved, That the sheriff be allowed the sum of seventy-five dollars for the keeping and execution of said O'Conner; and after all necessary expenses are paid, if there is any thing over or above that amount, the same to go to the executioner.

Resolved, That the meeting adjourn *sine die*.

MILO H. PRENTICE, chairman.

WM. A. WARREN, secretary.

The above is a brief narration of all the circumstances relating to the unfortunate affair at Dubuque, which terminated the life of O'Conner on the 20th inst.

At 12 o'clock, on the day of execution, the prisoner was taken from his place of confinement, under a guard of a company of volunteers, commanded by L. Wheeler, to the place of execution, where had assembled about 1,500 citizens. He was placed on a cart, the rope was made fast to the gallows, when the cart was driven away, leaving the prisoner suspended between the heavens and the earth.

The whole proceedings were carried on with the utmost regularity and good order. By mutual consent of all, every coffee house was kept closed, and not a drop of spirits was sold until after the execution.

It is well known that several cases of homicide had been committed west of the Mississippi, previous to the above, and no courts have yet taken cognizance of them. And whether there exists any legal jurisdiction over that country or not, may, perhaps, be made a question; but if there exists no means of application of the laws over that region, it then follows that their own safety and preservation depend on regulations of their own adoption. Circumstances rendered it indispensable to put a check to the almost daily crimes which the vicious persons thought there was no law to punish. And as law, in every country, emanates from the people, and is, in fact, whether written or not, nothing more nor less than certain rules of action by which a people agree to be governed, the unanimous agreement among that people to put a man to death for the crime of murder, rendered the act legal to all intents and purposes.

There is but one opinion on the subject here; and that is, that the people, on the west side of the river, in the whole affair, have done themselves and the country much credit, and been the means of preventing the repetition of murders. They have taught the world that the people are the basis of the law, even where no written law can be applied.

The general character of the executed criminal might be pleaded in further justification of their proceedings. His whole character, since his residence in this country, (about six years) has been marked with crimes and misconduct of the blackest hue. Threatening lives, assaults and batteries, with intent to kill, arson, at divers times and places, have been among the common acts of his life for the last six years.

LAWS OF THE UNITED STATES.

An act giving the consent of congress to an agreement or compact entered into between the state of New York and the state of New Jersey, respecting the territorial limits and jurisdiction of said states.

Whereas commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of the state of New Jersey, for the purpose of agreeing upon and settling the jurisdiction and territorial limits of the two states, have executed certain articles, which are contained in the wols following, *viz*:

Agreement made and entered into by and between Benjamin F. Butler, Peter Augustus Jay and Henry Seymour, commissioners duly appointed on the part and behalf of New York, in pursuance of an act of the legislature of the said state, entitled "an act concerning the territorial limits and jurisdiction of the state of New York and the state of New Jersey," passed January 18th, 1833, of the one part; and Theodore Frelinghuysen, and James Parker, and Lucius Q. C. Elmer, commissioners, duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of said state, entitled "an act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed February 6th, 1833, of the other part.

*Article first.* The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the bay of New York, of the waters between Staten Island and New Jersey, and of the Raritan Bay, to the main sea; except as hereinafter otherwise particularly mentioned.

*Article second.* The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis' island; and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned, and now under the jurisdiction of that state.

*Article third.* The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York; and of and over all the waters of Hudson river lying west of Manhattan Island, and to the south of the mouth of Spuytendyvel creek; and of and over the lands covered by the said waters to the low water mark on the westerly or New Jersey side thereof; subject to the following rights of property and of jurisdiction of the state of New Jersey; that is to say:

1. The state of New Jersey shall have the exclusive right of property in and to the land under water lying west of the middle of the bay of New York, and west of the middle of that part of the Hudson river which lies between Manhattan Island and New Jersey.

2. The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks and improvements, made and to be made on the shore of said state; and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the state of New York, which now exist or which may hereafter be passed.

3. The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters; *provided*, that the navigation be not obstructed or hindered.

*Article fourth.* The state of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull, between Staten Island and New Jersey to the westernmost end of Shooter's Island, in respect to such quarantine laws and laws relating to passengers, as now exist or may hereafter be passed under the authority of that state, and for executing the same; and the said state shall also have exclusive jurisdiction, for the like purposes, of and over the waters of the sound from the westernmost end of Shooter's Island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

*Article fifth.* The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten Island and New Jersey, lying south of Woodbridge creek, and of and over all the waters of Raritan bay, lying westward of a line drawn from the light house at Prince's bay to the mouth of Mattavan creek, subject to the following rights of property and of jurisdiction of the state of New York, that is to say:

1. The state of New York shall have the exclusive right of property in and to the land under water, lying between the middle of said waters and Staten Island.

2. The state of New York shall have the exclusive jurisdiction of and over the wharves, docks and improvements, made and to be made on the shore of Staten Island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock, except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the state of New Jersey, which now exist or which may hereafter be passed.

3. The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten Island, and the middle of the said waters; *provided*, that the navigation of the said waters be not obstructed or hindered.

*Article sixth.* Criminal process, under the authority of the state of New Jersey, against any person accused of an offence committed within that state, or committed on board of any ves-

sel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made, or to be made by that state, in relation to the fisheries mentioned in the third article; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any of the said waters, within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon, or fastened to the shore of the state of New York, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

*Article seventh.* Criminal process, issued under the authority of the state of New York, against any person accused of an offence committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state, in relation to the fisheries mentioned in the fifth article; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state, to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New Jersey.

*Article eighth.* This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the congress of the United States.

Done in four parts, (two of which are retained by the commissioners of New York to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state), at the city of New York, this sixteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three, and of the independence of the United States the fifty-eighth.

B. F. BUTLER,  
PETER AUGUSTUS JAY,  
HENRY SEYMOUR,  
THEO. FRELINGHUYSEN,  
JAMES PARKER,  
LUCIUS Q. C. ELMER.

And whereas the said agreement has been confirmed by the legislatures of the said states of New York and New Jersey, respectively, therefore,

*Be it enacted, &c.* That the consent of the congress of the U. States is hereby given to the said agreement, and to each and every part and article thereof, *provided*, that nothing therein contained shall be construed to impair or in any manner affect, any right of jurisdiction of the United States in and over the islands or waters which form the subject of the said agreement.

Approved, 25th June, 1834.

An act concerning the duty on lead.

*Be it enacted, &c.* That the duty of three cents a pound on lead in pigs, bars, and sheets, shall be considered as extending to all articles manufactured of lead, the value of which does not exceed double that of the raw material of which it is composed, excepting lead manufactured into pipes, and old and scrap lead, which shall pay the same duties as heretofore: *Provided*, That nothing in this section shall extend to or affect the present duties on red and white lead, shot, sugar of lead, and litharge.

*Sec. 2. And be it further enacted*, That the provisions of the aforesaid section shall be subject to the reductions in duties provided for in the act entitled "an act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," passed second March, one thousand eight hundred and thirty-three.

Approved, 30th June, 1834.

An act to suspend the operations of certain provisoes of "an act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two.

*Be it enacted, &c.* That the provisoes of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended until the third day of March next, and in the mean time, that the secretary of the treasury be directed to inquire, whether it be necessary to except any manufactured articles from the operation and effect of those provisoes, by reason of the difficulty of ascertaining the duties chargeable upon such articles, and that he make report to congress, at the commencement of the next session.

Approved, June 30th, 1834.

An act supplementary to the act to amend the several acts respecting copy rights.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled*, That all deeds or instruments in writing for the transfer or assignment of copy-rights being proved or acknowledged in such manner as deeds for the conveyance of land are required by law to be proved or

acknowledged in the same state or district, shall and may be recorded in the office where the original copy-right is deposited and recorded; and every such deed or instrument that shall at any time hereafter, be made and executed, and which shall not be proved or acknowledged and recorded as aforesaid, within sixty days after its execution, shall be judged fraudulent and void against any subsequent purchaser or mortgage for valuable consideration without notice.

*Sec. 2. And be it further enacted*, That the clerk of the district court shall be entitled to such fees for performing the services herein authorised and required, as he is entitled to for performing like services under existing laws of the United States.

Approved, 30th June, 1834.

An act authorising the secretary of the navy to make experiments for the safety of the steam engine.

*Be it enacted, &c.* That the secretary of the navy be, and he is hereby, authorised and empowered to examine and test the steam engine devised by Benjamin Phillips, of Philadelphia, and to employ said Phillips, and such other persons as he may deem proper, to make the experiment.

*Sec. 2. And be it further enacted*, That a discretionary power be vested in the secretary of the navy to examine and test such other improvements in the same line, as may hereafter be presented, and for that purpose to employ such person or persons as he may deem proper; and that he report to congress as soon as may be, the result of any experiment made in pursuance of this act.

*Sec. 3. And be it further enacted*, That, for the purpose of carrying this act into execution, the sum of five thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and is hereby, appropriated, and placed at the disposal of the secretary of the navy.

Approved, 30th June, 1834.

GOLD COINS.

Prepared expressly for "Bicknell's Reporter."

NAMES OF COINS.	weight.	Present standard.	Stand'd after July '31 '34
	do. gr.	d. c. m.	d. c. m.
United States.			
Eagle, coined before July 31, 1834.....	11 6	10	10 66 5
Do. coined after July 31, 1834.....	10 18		10
Shares in proportion.			

FOREIGN GOLD.

<i>Brazil.</i>			
Johannes, $\frac{1}{2}$ in proportion.....	18	16	17 06 4
Dobraon.....	34 13	30 66 6	32 70 6
Dobra.....	18 6	16 22 2	17 30 1
Moidore, $\frac{1}{2}$ in proportion.....	6 22	6 14 9	6 55 7
Crusado.....	16 $\frac{1}{2}$	59 8	63 5
<i>Columbia.</i>			
Doublouos.....	17 9	14 56	15 53 5
<i>England.</i>			
Guinea, $\frac{1}{2}$ in proportion.....	5 8 $\frac{1}{2}$	4 79 9	5 07 5
Sovereign, do.....	5 2 $\frac{1}{2}$	4 57	4 84 6
Seven shilling piece.....	1 19	1 60	1 69 8
<i>France.</i>			
Double Louis, coined before 1786.....	10 11	9 08 7	9 69 7
Louis, do.....	5 5 $\frac{1}{2}$	4 54 1	4 84 6
Double Louis, coined since 1786.....	9 20	8 59	9 15 3
Louis do.....	4 22	4 29 5	4 57 6
Double Napoleon, or 40 fr.....	8 7	7 23 2	7 70 2
Napoleon, or 20 do.....	4 34	3 61 6	3 85 1
Same as the new Louis,			
Guinea.....	5	4 36 2	4 65 5
<i>Mexico.</i>			
Doublouos, shares in proportion.....	17 9	14 56	15 53 5
<i>Portugal.</i>			
Dobraon.....	34 12	30 66 6	32 70 6
Dobra.....	18 6	16 22 2	17 30 1
Johannes.....	18	16	17 06 4
Moidore, $\frac{1}{2}$ in proportion.....	6 22	6 14 9	6 55 7
Pieces of 16 testoons, or 1,600 rees.....	2 6	1 99 2	2 12 1
Old crusado of 400 rees.....	15	54 9	58 8
New do. 480 do.....	16 $\frac{1}{2}$	59 8	63 5
Mitree, coined in 1755.....	19 $\frac{1}{2}$	73 2	78
<i>Spain.</i>			
Quadruple pistole, 1772, double and single and shares in proportion.....	17 8 $\frac{1}{2}$	15 03	16 02 8
Doublouos.....	17 9	14 56	15 53 5
Pistole.....	4 8 $\frac{1}{2}$	3 64	3 88 4
Cornilla, gold dollar, or vintem, 1801.	1 3	92 1	98 3

THE PRECIOUS METALS.

From a late English paper.

An elaborate paper prepared in the foreign office has been laid before parliament, which decides the question as to the comparative productions of the American gold and silver mines during the last ten years, ending with 1829, and the periods immediately preceding. This return exhibits a material falling off; and although much of the diminution may, perhaps, fairly be attributed to the unsettled state of the countries in which the mines are situated, still there is abundant reason for concluding that the source itself is approaching to exhaustion. From this curious document we make the following abstract:—From

1790 to 1809, the mines of Mexico yielded gold to the value of £4,523,378, silver £94,423,303, those of Panama, gold £223,518, silver —; Chili, gold, £863,974, silver £944,736; Buenos Ayres, gold, £1,862,955, silver £19,286,830. From 1810 to 1821, Mexico yielded gold, £1,913,075, silver, £45,388,729, Panama, gold, £23,608, silver —; Chili, gold, £1,901,514, silver, £875,188; Buenos Ayres, gold, £2,161,940; silver £7,835,843; Russia, gold, £3,703,743, silver, £1,502,981. The returns from Monte Video are too vague to lead to any safe results. The comparative increase or decrease in periods of ten years as follows—Mexico from 1790 to 1799 and 1800 to 1809, in gold an increase 16 1-10ths, in silver a decrease of 2 2-5ths, on the whole decrease of 1 3 5ths, as compared with the first period; from 1800 to 9; in gold a decrease of 30, of silver a decrease of forty eight three-fifths, on the whole a decrease of forty seven four-fifths as compared with the first period; from 1820 to 1829 in gold a decrease of 78 7-10ths silver a decrease of 56 2 5ths, on the whole a decrease of 57 2-5ths, as compared with the first period. Panama from 1790 to 1799 and 1800 to 1809; in gold a decrease of 117-10ths as compared with the first period, from 1810 to 1819, a decrease of 93 3 10ths; 1820 to 1829, a decrease of 86 4-5ths. Chili from 1790 to 1799 and 1800 to 1809, in gold an increase of 65 4-5ths, silver a decrease of 31, on the whole an increase of 4 3-5ths, 1810 to 1819 in gold an increase of 330, silver an increase of 30 4 5ths, on the whole an increase of 148 3 5ths; 1820 to 1829, in gold an increase of 55 2 5ths, silver a decrease of 81 3-10ths; on the whole a decrease of 31 9-60ths. Buenos Ayres 1790 to 1799 and 1800 to 1809, in gold an increase of 45 4-5ths, silver a decrease of 23 4-5ths, on the whole a decrease of 19 1-5th, 1809 to 1819 in gold an increase of 42 3-5ths, silver a decrease of 51, on the whole a decrease of 51 1-2; 1820 to 1829, in gold an increase of 42 3-5ths, silver a decrease of 70, on the whole a decrease of 62 3-5ths. From 1820 to 1829 Russia produced in gold £3,703,743, in silver, £1,502,981. On the produce of the whole of these mines, therefore, from 1790 to 1799, and from 1800 to 1809, there has been, as compared with the first period, in gold an increase of 26 4-5ths silver, a decrease of 6 3 5ths, on the whole a decrease of 4 4 5ths; from 1810 to 1819, in gold an increase of 20 2-5ths, silver a decrease of 49 1-2, on the whole a decrease of 45 4-5ths; and from 1820 to 1829, in gold an increase of 74 3 5ths, silver a decrease of 56 3-5ths, and on the whole a decrease of 49 7-10ths.

**BANK OF THE UNITED STATES.**

*From the New York American, of July 14.*

We lay before our readers, with much satisfaction, the annexed letters, which shew with what promptness the bank endeavors to meet, so far as it can at the moment, the wishes of the New York committee, in behalf of the business community.

The declaration thus made by the bank, that all curtailments have ceased, and the implied pledge that, as occasion requires, a gradual and cautious enlargement of its loans shall be made, constitute most important information to the state banks generally, and to the great body of merchants and traders in shaping their future business:

*New York, 10th July, 1834.*

**STR:** At a meeting of many merchants, and others interested in commerce, in this city, the undersigned were appointed a committee to express to you, and to the board of directors of the United States bank, over which you preside, the following views:

A large portion of the difficulties under which the commercial community have labored for some months past, has arisen from the restrictions deemed necessary on the part of the bank of the United States, in the differences existing between the executive of the general government and it; and so long as there seemed just ground for the continuance of such restrictions upon its issues and accommodations to the mercantile public; all efforts of the New York commercial men were confined, to endeavor to render them as little burdensome as possible, and to endure them with the firmness and by the sacrifice, called forth by evils deemed inevitable. All agree that the pressure has been one of the most severe, and the most extensive, ever known in our country; and that it has been sustained in a manner to elevate the character, and to make known the resources, of our mercantile community.

So long as congress continued in session it was not deemed hopeless to look for some decision upon the great questions of finance, which were agitating our country from its centre to its extremities, and that measures of relief would naturally have flowed from the definitive action of the national legislature; but disappointed in this expectation, we are of opinion that the time has now arrived when the United States bank, in safety beyond all contingency, with resources abundant, and increasing beyond all example, can, and ought, to come forward to the relief and support of the commercial interests of the country; and we will not doubt its concurrence with us in these views, which so naturally result from premises, which must be equally apparent to it and to us.

In the true spirit which should ever characterise the intercourse between mercantile men, and the direction of the great organ of commerce, a national bank, (and in the increased necessity for such an institution, our latter experience confirms our former opinions) we will frankly state our views to be, that the system of restriction adopted by the bank, the last autumn, should now be entirely abandoned, and in its stead, that a course of free and useful enlargement of its loans should be substitut-

ed, to the extent of five to ten millions of dollars—at such places, in such amounts, and in such a manner as may most effectually restore the operations of the bank to its former beneficial influence, and meet the object proposed, of reviving public confidence, and of giving relief and support to a community accustomed to rely upon bank facilities, for the commencement and continuance of their usual commerce and trade. These of late have been most unfortunately interrupted, if not paralysed; and cannot be generally or usefully renewed, except by the full and free co-operation of the United States bank as now indicated, especially by those who, although rich in enterprise, skill and character, are yet deficient in actual capital—a class which constitutes the home and sinew of our community—and is destined, ere long, unless prevented by a continuance of untoward events, to furnish leading men in influence and wealth.

By such a course, adopted by the United States bank, publicly proclaimed and zealously persevered in, for twelve months at least, (which will afford ample time for any measures of precaution on its part, prior to 1836), the most beneficial consequences would be secured—the almost extinct impulse of private credit would be revived—many of the great evils of our present condition would be removed—the usual facilities of business in all its ramifications would be promoted—the recent lesson of suffering would be a security against overtrading—and the commerce and trade of the nation would, at least measurably, resume activity, vigor and prosperity.

The intercourse of the bank, with its customers, would thus be replaced upon its former footing of mutual benefit, and the interest of both be promoted by so natural and wise a policy; which to be of the greatest advantage, should be of the longest possible duration, and be so understood by all parties.

We have the honor to remain, with the highest respect, sir, your obedient servants,

(Signed)

JAMES BROWN,  
JOHN HAGGERTY,  
JAMES G. KING,  
CHARLES H. RUSSELL,  
GEORGE GRISWOLD,  
THOS. TILESTON,  
J. W. LEAVITT,  
JO. GOODHUE,  
JOHN A. STEPHENS.

To N. Biddle, esq. president of the U. S. bank, Philadelphia.

*Bank of the United States, July 11th, 1834.*

GENTLEMEN: I have had the honor to receive your letter of the 10th instant, which was immediately submitted to the board of directors, from whom it could not fail to receive the respectful consideration due to the signers of it.

The general subject of which it treats has, as you may naturally suppose, engaged the early and anxious attention of the directors. For some months past, the principal objection of the measures has been to provide for the safety, and to maintain the credit of the bank, at all hazards. The restrictions upon its business, which they were under the necessity of imposing for this purpose, were as painful to the board of directors as to the community; and they confidently trusted that the national legislature, if it sanctioned the measures which rendered these restraints necessary, would have provided other means of mitigating their inevitable pressure. But the adjournment of congress without adopting any measures, either of redress to the bank, or of relief to the community, places both the bank and the country in a new relation to each other, and imposes upon the diminished ability of the bank an extraordinary demand for its assistance. To that claim the board of directors cannot be insensible. They feel that the prosperity of the bank is completely identified with that of the country; and they deem it not merely a duty but a gratification to interpose, whenever the resources of the bank can be safely employed in the relief and support of the great interests of the community. Accordingly, on the 27th ultimo, when it was perceived, that congress was about to adjourn without adopting any measures for the relief of the country, the board appointed a committee to consider the new duties which that event might devolve upon the bank, and their report was this day adopted. That report contemplates two objects. The first is to put an immediate end to all the curtailments of the loans hitherto directed—a measure which was forthwith adopted. The second regards the future expansion of the loans of the bank—a subject, as you are aware, of far greater difficulty and delicacy. The long experience and the sagacity in business for which so many of you, gentlemen, are distinguished, will, I think, readily suggest to you that a general public declaration of a purpose to add to the loans of the bank a sum of from five to ten millions of dollars, might be productive of great disadvantage, as well to the bank as to the public, and that the more prudent course of expansion, if any be necessary, would be to increase the loans cautiously at those points which most require relief. To such a policy the board are well disposed, and they will proceed to the consideration of your views with every disposition to concur in them so far as the state of the institution, and the principles on which they think it prudent to conduct its affairs, will permit. I have the honor to be, very respectfully, yours,

N. BIDDLE, president.

Messrs. James Brown, John Haggerty, James G. King, C. H. Russell, G. Griswold, Thomas Tileston, J. W. Leavitt, John A. Stevens, J. Goodhue, New York.

General abstract of the number and situation of the state banks in the several states and territories of the union, compiled from returns made in the years 1833 and 1834, to the legislatures of the several states, and from estimates; together with a statement of the number of banks, and the amount of bank capital authorized since the said returns were made out; and also of the situation of the bank of England, and of the banks in Canada, as per statements referred to. (Compiled under the direction of the clerk of the house of representatives, from materials collected by Mr. Wilde, and ordered to be printed.)

No. of banks.	States.	DUE FROM THE BANKS.										RESOURCES OF THE BANKS.									
		Capital stock paid in.	Notes or bills in circulation.	Profits, including funds, and unclaimed dividends, &c.	Amount due to other banks.	Deposits due to depositors.	Total amount due from banks.	Specie and specie funds on hand.	Notes or bills of other banks on hand.	Amount due from other banks.	Discounts, including bills of exchange, notes, &c.	Stocks.	Real estate owned by the banks.	Expenses, &c.	Total resources of the banks.						
3	Alabama.....	\$2,576,118	\$1,288,632	\$49,696	\$175,600	\$650,081	\$4,699,369	\$286,795	\$294,959	\$252,869	\$3,622,955	\$75,284	\$30,568	\$2,152	\$1,600,369						
21	Connecticut.....	5,708,015	2,537,237	274,717	300,321	900,320	9,645,121	228,470	942,649	373,834	7,467,239	117,167	40,386	40,386	16,645,131						
13	Georgia.....	6,534,691	3,665,003	564,590	673,131	877,322	11,505,448	1,373,874	949,109	777,893	5,753,011	357,080	55,140	55,140	11,868,446						
1	Kentucky.....	8,755,418	838,091	513,584	331,524	331,524	4,196,533	2,111,805	252,139	689,932	2,742,388	300,320	31,863	31,863	14,196,539						
6	Louisiana.....	16,064,755	3,271,230	1,315,357	853,575	3,608,186	24,445,832	1,508,293	1,063,139	1,653,772	20,305,087	377,138	529,301	529,301	24,143,232						
102	Massachusetts.....	23,226,250	7,880,171	1,293,979	2,813,457	11,606,122	31,866,210	9,222,309	1,796,361	3,383,716	30,367,107	791,831	92,312	92,312	32,282,732						
38	Maine.....	2,727,001	1,303,671	75,708	1,759,759	602,894	4,283,244	108,403	156,326	335,510	4,157,556	98,391	3,302	3,302	11,800,063						
1	Maryland.....	5,606,805	1,433,698	975,601	506,230	3,125,363	11,400,063	595,506	934,045	430,239	5,530,766	69,609	11,219	11,219	11,800,063						
8	New York.....	24,780,204	15,933,122	3,253,571	9,541,140	17,019,457	59,915,102	11,320,290	11,995	254,592	5,461,464	42,000	229,280	229,280	60,530,532						
70	North Carolina.....	1,156,318	881,144	337,763	544,110	17,019,457	3,601,381	2,372,958	6,150,369	423,618	2,909,121	240,540	240,540	5,530,532							
1	South Carolina.....	1,283,643	1,862,442	491,000	573,536	272,536	3,601,381	2,909,121	2,983,689	423,618	2,909,121	240,540	240,540	5,530,532							
22	New Hampshire.....	2,271,300	1,283,643	154,621	353,357	353,357	3,601,381	230,742	608,460	54,058	2,909,121	240,540	240,540	5,530,532							
1	Ohio.....	1,986,625	648,629	94,808	464,055	391,586	4,026,225	230,742	608,460	54,058	2,909,121	240,540	240,540	5,530,532							
41	Pennsylvania.....	17,061,944	10,386,622	2,692,030	2,790,349	9,819,140	42,500,007	186,591	115,113	130,669	3,300,896	79,124	6,149	6,149	44,868,295						
2	Rhode Island.....	7,488,748	1,283,643	123,048	3,316,246	1,181,818	13,168,246	464,171	87,530	6,149	11,800,063	6,149	6,149	13,168,246							
51	Tennessee.....	1,243,827	1,520,880	163,943	73,467	1,306,889	10,327,497	401,381	401,381	2,909,121	2,909,121	240,540	240,540	5,530,532							
1	Virginia.....	5,694,500	5,886,392	194,079	634,392	2,625,774	14,897,178	937,751	592,998	913,476	11,752,058	649,769	450	450	14,907,139						
17	Vermont.....	912,000	1,468,394	169,577	301,892	301,892	2,526,478	692,632	308,953	525,371	3,693,230	385,495	16,385	16,385	6,314,706						
8	District of Columbia.....	3,327,305	1,109,359	228,533	391,892	1,247,655	6,314,708	432,077	308,953	525,371	3,693,230	385,495	16,385	16,385	6,314,706						
405	Estimated situation of banks from which no returns have been received, per statement A.....	139,416,703	65,083,231	12,863,373	21,639,034	55,945,435	294,377,678	14,254,571	16,884,139	21,187,554	238,352,808	5,337,624	6,620,956	1,882,177	294,519,830						
101	Aggregate.....	30,707,059	12,645,551	3,248,574	4,849,362	10,419,592	61,870,469	2,827,133	3,945,768	3,699,865	48,796,524	930,685	1,558,321	110,172	61,870,469						
506	Banks chartered, and bank capital authorized, but not in operation when the above returns were made, per statement B B.....	170,123,792	77,738,782	16,133,148	25,888,206	66,365,027	356,246,148	17,081,704	30,829,907	24,887,420	277,151,332	6,268,209	8,179,277	1,992,349	356,246,148						
43	Total number of banks and amount of bank capital in operation and authorized.....	200,323,792	93,384,333	19,381,722	28,737,568	76,784,619	417,116,617	20,108,837	40,755,675	51,585,285	425,948,156	12,200,894	14,151,600	3,084,521	417,116,617						

Statement of the accounts of the bank of England, per schedule marked C C.

Date.	LIABILITIES.			ASSETS.		
	Circulation.	Total liabilities.	Deposits.	Securities.	Total assets.	Specie.
April, 1834.....	£19,097,000	33,108,000	11,011,000	25,970,000	35,401,000	\$1,519,048
			9,431,000			\$711,068

Statement of the situation of the banks in Upper and Lower Canada, per reports to the legislature of the provinces, in December, 1833, and January, 1834, per schedule D D.

Date.	Capital.	Circulation.	Deposits.	Specie.
April, 1834.....	\$2,529,786	\$2,214,177	\$1,519,048	\$711,068

\*The returns from which the foregoing abstract of the situation of the banks in the states of Connecticut, Rhode Island and Vermont, was compiled, are incomplete; no notice being taken of the surplus funds, or undivided profits, stocks, real estates, or expenses, &c.; in consequence of which some of the banks exhibited an apparent excess of means, and others an apparent deficit. In making up this general abstract, in order to square the accounts of the banks thus situated, the excess has been set down in the column headed "profits," &c. and the apparent deficit in the column headed "expenses." In the general aggregate it will also be perceived that the total resources of the banks exceeds the total amount due from them by \$142,152. This is produced by the returns of the banks in the states of Maine and Massachusetts, which, it will be seen, are very full and complete, and exhibit exactly this sum over and above their liabilities.

STATEMENT A.—General estimate of the situation of the state banks in the several states and territories of the union, from which no returns have been received, founded upon the situation of banks from which returns have been received, and information from other sources, as to the probable capital and amount.

accompanying statements refer- red to.	States.	DUE FROM THE BANKS.					RESOURCES OF THE BANKS.								
		No. of banks.	Capital stock.	Notes or bills in circulation.	Profits, including sundry fund, &c.	Amount due to other banks.	Amount due to depositors.	Total amount due from the banks.	Specie and specie funds on hand.	Notes or bills of other banks on hand.	Amount due from other banks.	Discounts, including bills of exchange, &c.	Stocks.	Real estate.	Expenses, &c.
B. No. 2.	Alabama, . . . . .	2	\$1,732,059	\$815,789	\$83,131	\$117,127	\$449,387	\$3,147,523	\$197,620	\$170,580	\$2,658,640	\$185,500	\$28,479	\$1,007	\$3,147,523
C. No. 2.	Delaware, . . . . .	7	2,000,000	504,000	362,000	223,000	1,162,500	4,251,500	342,000	160,000	3,190,000	10,000	235,000	1,500	4,251,500
F. No. 2.	Louisiana, . . . . .	4	7,600,000	1,922,500	561,000	433,000	1,214,000	11,330,500	435,000	605,600	9,375,000	50,000	150,000	50,000	11,360,500
K. No. 2.	Mississippi, . . . . .	2	1,000,000	590,000	65,000	392,000	221,000	2,268,000	4,000	97,000	2,100,000	24,000	24,000	24,000	2,268,000
O. No. 2.	New Jersey, . . . . .	26	2,500,000	1,418,000	312,000	821,000	1,619,000	6,800,000	591,000	819,000	4,968,000	36,000	135,000	24,000	6,800,000
L. No. 2.	New York, . . . . .	6	2,975,000	1,887,280	390,075	1,149,125	2,099,401	8,501,381	738,355	1,244,251	6,210,508	44,185	169,842	29,665	8,501,381
N. No. 2.	South Carolina, . . . . .	6	2,000,000	1,862,000	491,000	579,000	579,000	4,932,000	608,000	524,000	3,750,000	260,000	36,000	1,000	4,931,000
D. No. 3.	Indiana, . . . . .	1	150,000	75,000	20,000	20,000	20,000	20,000	15,000	20,000	200,000	15,000	20,000	1,000	265,000
D. No. 3.	Illinois, . . . . .	1	200,000	100,000	100,000	30,000	30,000	30,000	20,000	20,000	280,000	20,000	20,000	1,000	360,000
R. No. 3.	Ohio, . . . . .	18	4,000,000	1,297,577	162,876	928,110	248,236	6,636,492	234,220	261,338	5,755,570	371,000	12,000	3,000	6,636,492
K. No. 3.	Maryland, . . . . .	12	4,000,000	1,008,000	724,000	446,000	2,325,000	8,503,000	445,000	320,000	6,380,000	300,000	300,000	3,000	6,503,000
J. No. 3.	Tennessee, . . . . .	6	1,000,000	590,000	65,000	100,000	100,000	1,855,000	43,000	25,000	1,637,000	50,000	160,000	1,000	1,855,000
S. No. 3.	Florida, . . . . .	6	1,000,000	600,000	50,000	50,000	100,000	1,900,000	30,000	30,000	1,600,000	50,000	95,000	1,000	1,900,000
W. No. 3.	Michigan, . . . . .	3	500,000	300,000	30,000	40,000	100,000	970,000	30,000	20,000	800,000	25,000	2,000	1,000	970,000
X. No. 3.	Maine, . . . . .	1	50,000	45,704	2,792	2,577	2,577	120,073	2,689	1,563	23,696	90,125	9,000	1,000	120,073
		101	30,707,089	12,645,551	3,248,874	4,819,362	10,419,592	61,870,469	2,827,133	3,945,768	3,699,865	48,798,524	930,685	1,558,321	61,870,469

NEW YORK MOBS.

From the New York Daily Advertiser, of July 8.

"Last evening a serious riot again occurred in the Chatham street chapel. From the most authentic information we have been able to obtain from eye witnesses, the following constitute the prominent facts of the case. The New York Sacred Music society, of which Justice Lowndes of the police court is the president, and Dr. Rockwell, vice president, have obtained a lease of the chapel for \$50 a year, to be used by them every Monday and Thursday nights, for the purpose of practising and improving themselves in sacred harmony. The society were to meet last night in the chapel, and when they came, found it pre-occupied by a large congregation of blacks of both sexes; the use of it having been hired to them by some person for \$15, who had no authority to do so, in order to hear a sermon from a colored man named Hughes. Finding themselves excluded from their own leased premises, by the blacks who had assembled and filled the church, it was deemed advisable, to inform the blacks that they had no right to remain.

For this purpose Dr. Rockwell went among them, and in the mildest manner, stated the facts above enumerated, but without avail, as the blacks obstinately refused to remove. Others of the society also made similar representations in relation to their rights, but the blacks still persisted in keeping possession of the chapel.

But this was not all, the anger of the negroes in consequence of the request to remove, was aroused, and they struck Dr. Rockwell, Mr. Clark and others, with canes loaded with leaden bullets on the head, knocked some down and injured others severely. The alarm was raised, crowds assembled, the watch called, and entering the chapel, expelled the whole congregation of whites and blacks, and locked up the church. Previous to this, however, a regular fight took place in the interior of the chapel, the lamps were broken to pieces, many of the chairs and seats suffered a similar fate, and the house presented the appearance of a battle field, where hostile armies had been engaged. Six or eight of the blacks were arrested and carried to the watch house, and a riot for a long time reigned in the street.

As Mr. Lewis Tappan was returning to his house, the mob supposing him to be in some measure instrumental in producing the disorder, followed him with violent language, and stones were also hurled at his house. The scene was one of deep and dark disgrace, and many an innocent white man suffered to appease the negro wrath.

From the New York Commercial Advertiser of July 10.

It is with pain that we record the occurrence of three more riots last night in this city. It was rumored yesterday that another abolition meeting was to be held in the evening at the Chatham street chapel, and such had been the excitement occasioned by the recent course of the fanatics, that serious apprehensions were entertained lest personal violence might ensue. Nor was that apprehension causeless. We have long been of the opinion, and frequently expressed it, that the abolitionists are the worst enemies the blacks of this city have. They are holding out to them the prospect of amalgamation, feeding their pride with impracticable hopes, exclaiming and denouncing the prejudice against color, leading them to believe that they are unjustly and cruelly treated by the whites, by the denial of equal political and social privileges, fomenting their passions, denouncing all who will join them in their absurd crusade as kidnappers, villains, man stealers, thieves and pirates, inviting them to sit with the whites indiscriminately.

We all know, that, in a large city like this, there is ever a body of men ripe and ready for scenes of riot. They neither know nor care for causes or consequences. The pleasure of a row is all they seek. They scorn amalgamation with the blacks, and, therefore, are the more ready to resent the offensive proposal. It is to this class of men generally, so far as we have been informed, that the riots of last evening, and on the preceding days, are mainly to be ascribed. They accord in sentiment and feeling, it is true, with the great mass of the white community, but the more respectable and orderly portion of our citizens disclaim, in all sincerity, recourse to violence, and believe that these fanatics may and will be put down by the operation of the laws, and the overwhelming power of public opinion. We are happy to learn that nothing in these disturbances can be ascribed to the colonizationists. They had no part or lot in the matter. It was an affair not connected with their interests or objects. It grew out of the absurd and outrageous project of the abolitionists to force public sentiment, and *mulattoize* our posterity.

The curtain of the first scene was drawn at the Chatham street chapel. About dusk, the street was thronged with people, collected, some to look on, and others to participate in the scenes that might take place. But we learn that an agent of the proprietor of the building, learning the uses that had been made of it by Mr. Green, the lessee, had endeavored, in the course of the day, to procure an injunction to prevent the desecration. Not being able to procure it in sufficient time, it was deemed prudent to close the gates; and the key was deposited with the mayor.

About 9 o'clock, however, the crowd found means to effect an entrance into the chapel. Mr. William V. Wilder was called on to preside. He addressed the meeting, and gave a sketch of the miseries brought on the slaves of St. Domingo—which he himself witnessed, by the too sudden abolition of slavery in that

NOTE.—The names and location of the banks in the states of Delaware, Ohio and South Carolina, and in the territories of Florida and Michigan, embraced in the foregoing abstract, were derived from the February number of "Bicknell's Counterfeit Detector and Bank Note List," published at Philadelphia.

island. He then moved a resolution to adjourn until the next meeting of the anti-slavery society. The resolution for adjournment was put, and unanimously carried, and the meeting was dispersed.

As this had gone off too quietly for the taste of those who were disposed for a row, an invitation was loudly given to repair to the Bowery theatre. A Mr. Farren, the stage manager, an Englishman, and whose benefit night it was, had been accused of using language disrespectful to the Americans. Handbills to that effect had been posted up through the city during the day. An immense mass surrounded the theatre, and soon affected an entrance. They then took entire possession of the house; and, notwithstanding the apologies and entreaties of Messrs. Hamblin and Forrest, they succeeded in putting an end to *Metamora*, without waiting the tragic conclusion to which he was destined by the author. By the interference of the municipal authorities, the theatre was at length cleared, and comparative order restored.

Not as yet sated with tumult, a bell was rung, and a cry arose of "away to Arthur Tappan's."

An account of the disgraceful proceedings that followed, we copy from a morning contemporary. "A great number then proceeded to the house of Mr. Lewis Tappan, in Rose street, broke open the door, smashed the windows, and threw the furniture into the street.

"The watchmen now made their appearance here also, charged the crowd, and for a time cleared the street. The mob retreated, provided themselves with brickbats, and discharged a volley at the watchmen, who were thus driven from the ground. The mob now lighted a fire, and fed it with the bed and bedding taken from the house. At this time, an alarm of fire was ordered to be sounded, which brought the engines to the spot, and order was finally restored at this place, though not till near two o'clock in the morning."

It is perfectly evident from what has transpired, that our city is in a combustible state. In addition to the fuel applied by the abolitionists to increase the excitement in the ways before referred to, a series of articles have been published in the *Emancipator*, signed by E. Wright, jr. in which intimations were thrown out, covertly inviting to a forcible resistance to the laws which authorise the recapture by their masters of runaway slaves. Encouraged probably, by these inflammatory numbers, the walls of our streets were placarded on Tuesday night with infamous handbills.

Although none disapprove more decidedly than we have done, the course Mr. Tappan, and his professors, in relation to the subject of abolition, yet we condemn most unqualifiedly the attack made last night upon his premises. We profess to live under a government of laws, and the sanctity of private habitation and repose are not to be violated. We hope the authors of the injuries to his dwelling will be detected and brought to condign punishment. No provocation can be sufficient, where the laws are peaceably and impartially administered, to justify a resort to personal outrage.

Whispers are afloat that further violence is in contemplation. We earnestly hope that it is without the shadow of foundation. Let every lover of the city's peace put his face against every movement calculated to disturb it. By personal violence, the rights and property of others, besides the obnoxious individuals, may be destroyed. Should there be the least indication that these rumors are not the offspring of a fevered brain, we trust the public authorities will take the earliest and most efficient measures to put down, with a strong hand, the first buddings of disorder.

#### From the same of July 11.

The excitement nourished by the abolitionists has burst into a flame; and they are now in danger of being consumed by fires of their own kindling. For their protection they must stand indebted to those they have vilified, whose motives they have aspersed, whose conduct and characters they have assailed by every term of contumely and reproach, and whose identity, as a nation of white men, they have sought to degrade by reducing to it the condition of mongrels. We rejoice, however, in the belief that *they will be protected*, and that however much they may have forfeited any claim to personal sympathy, the supremacy of the laws will be maintained. The rumors to which we alluded yesterday, and which we then hoped were unfounded, gathered force as time advanced, and we perceived with regret that the whirlwind which the fanatics had raised, it would be difficult to allay. Fortunately, however, although it could not be wholly allayed, its fury was repressed by the interposition of the civil and military authorities, and the efforts of the more peaceable order of our citizens.

About dusk, as we learn, a great assemblage made their appearance in the vicinity of Mr. Lewis Tappan's house, in Rose street, evidently with no friendly design. Being ordered, however, to disperse, they obeyed the command.

The next movement was in the direction of Dr. Cox's church at the corner of Laight and Varick streets. Here they assembled in great numbers, and began pelting the windows with stones, with every variation of voice and diversity of noise that had been heard from the confusion of tongues at Babel. The mayor, Justice Lowndes, the district attorney and a posse of police officers and watchmen arriving, they were prevented from committing further depredation.

Dr. Cox's house, No. 3, Charlton street, was the next object of attack, and thither they repaired in squads from various

directions. The doctor, anticipating an attack, had sent a letter in the morning to the mayor, requesting the protection of the civil authority, and, after packing up and removing his furniture, had, with his family, left the city in the afternoon. As soon as the mob arrived, they commenced the work of destruction, by breaking in the two lower windows, with their hands, and the door. The latter had been barricaded, and they had scarcely effected an entrance, before the police officers and watchmen aided by two detachments of horse that were at hand, dislodged the rioters. They were thenceforward kept at bay; but the street, as far back to the east as Thompson street, was filled with persons with paving stones, which they smote together, saying in a deep under-tone, "all together." A fence in the neighborhood was torn down and converted into clubs, and ranges of carts drawn together across the streets, in many places, to impede the horsemen, should the latter assail them. Formidable, however, as these indications were, the attack on Dr. Cox's house was not renewed; but in the meantime a portion of the rioters returned to the Laight street church, and recommenced hostilities. A few more panes of glass were broken, but no further essential damage was done, although it was not until a very late hour that the tumult had entirely ceased.

One o'clock. We regret to add that appearances indicate a renewal of the disturbances of to-night. A large collection have been assembled around Dr. Cox's house, all the morning, and have increased, it is said to the number of 300 already; and the police have just despatched 100 officers for the preservation of the peace. Again, we say, let every lover of good order set his face against these proceedings. Especially, let no one repair to any scene of riot merely as a *spectator*. If they do not choose to assist in quelling it, they had better remain at home. Their presence only increases the confidence of the rioters, and weakens the power of the officers, at the same time that they expose themselves to accidents personal and legal.

Military force, we presume, will be again resorted to. Nearly all the aidmen and assistants were on the spot during the night. Some of them have been severely hurt, and it is too much to expect of them that they will be kept on fatigue duty of this sort, night after night. Let the leaders, who have been instrumental in producing the present state of things, give a pledge to desist in their mad career, and we are satisfied that immediate security of their persons and property may be relied on, and the city restored to its wanted tranquillity. Such a pledge would be more effective than a regiment of soldiers.

#### From the same of July 12.

Although nothing can justify the atrocious course which a few misguided individuals have pursued for the last eighteen months, yet even rebuke should be suspended until the present mad tumults have fully subsided. So long as disapprobation of their proceedings was confined to that sort of expression which is usual at theatres on the representation of a bad play, we did not deem ourselves called upon, as public journalists, to animadvert, nor give opinion, one way or the other, upon the natural ebullition of feeling which was produced. But from the first moment that a serious attack was made, on the night of Wednesday, upon the dwelling house of Mr. Lewis Tappan, we have raised the voice of warning against acts of violence as seriously and as constantly as we did before against the mad measures that have brought these calamities in their train.

But it seems that the press is of little avail in stemming the torrent of popular fury when it is once excited. We can now appeal only to the strong arm of the law; and even that, unless more vigorously extended than it has hitherto been, will prove inadequate to our protection. Day after day we are compelled to become the chroniclers of our city's disgrace, and it is with undissimulated repugnance that we are constrained to give the details of the last night's turmoil.

The assemblage around the house of Dr. Cox, to which we alluded in our P. S. at one o'clock yesterday, was completely dispersed by the officers sent by the police, and tranquillity preserved until evening. Dr. Cox had returned to his house in the morning, and we regret to learn that on his departure from it, he was rudely followed by a mob of boys, until he found refuge in the house of a parishioner and friend.

In the course of the afternoon the following proclamation was issued by the mayor:

*Proclamation of Cornelius W. Lawrence, mayor of the city of New York.*

The mayor feels himself compelled by a sense of public duty, to notice the riotous conduct of a large number of citizens during the nights of the 9th and 10th inst. However repugnant to the good sense of this community, are the doctrines and measures of a few misguided individuals, on the subject which has led to the existing excitement of the public mind, their conduct affords no justification for popular commotion. The laws are sufficient to restrain whatever is subversive of public morals, and to punish all violations of public decorum. On them alone must the citizen rely, and misjudging and imprudent men, as well as the most temperate and discreet, must be protected in their undoubted rights of person and property.

It is unnecessary to do more than allude to the interruptions of the peace during the two last nights; but there being reason to apprehend that further disorders are contemplated, the mayor, with the concurrence of the magistrates of the city, issues this proclamation, enjoining all good citizens to refrain from mingling with any crowd which may assemble in the

streets during the evening; and to use their influence, each within his own proper sphere of action, to prevent such congregations.

Parents, guardians and employers are called upon to cooperate in the purpose of this recommendation, by guarding with unusual vigilance those under their control, during the continuance of the present excitement.

The watch, and all public officers, are hereby required to be active and prudent in the discharge of their duties.

The mayor assures the community that the magistrates have adopted efficient measures to maintain the rights of the citizens, and to preserve the public peace; and to this end, they are resolved to exercise with energy the powers with which they have been intrusted.

Given under my hand and the seal of the mayoralty of the city of New York, this eleventh day of July, in the year of our Lord, one thousand eight hundred and thirty-four.  
CORNELIUS W. LAWRENCE.

A large body of the military was assembled at the Arsenal, City Hall, the Bazaar, and some other places, at an early hour last evening in readiness to repair to any point to which they might be called for the suppression of any lawless outrage.

About nine o'clock, the first overt acts, under the refuge of darkness, were perpetrated by an attack upon the store of Mr. Arthur Tappan, in Pearl street. The rioters commenced by throwing stones at the building, and the watchmen, to the number of fifteen or twenty, are said to have been compelled to leave the ground. A reinforcement, however, under Mr. Justice Lowndes, came up, and had hardly made an exhibition of their insignia, before the rioters retreated. In the intervening period, Alderman Labagh, notwithstanding a severe wound he had received, manifested great courage and perseverance in keeping the mob at bay. They dared not force the doors, being apprised that a body of citizens were stationed within who were well armed with muskets to defend the premises.

During the evening, some two or three hundred persons assembled near Dr. Cox's church in Laight street, but all was comparatively quiet until about 9 o'clock, when a reinforcement came down Varick street, armed with stones, which, on arriving opposite the church, they discharged against the windows and doors, and did more injury than was done the previous night. At this moment but few police officers and watchmen were on the spot, and they had to fly before the immense mob. They rallied at the corner of Beach, and a messenger was immediately sent off for the military.

At this moment shouts were heard in the direction of Spring street, and it was soon ascertained that the work of destruction was going on against the church in that street under the pastoral care of the rev. Mr. Ludlow. The mob commenced by pulling down the fence which surrounded the church, and then demolished the windows, broke into the house and demolished the interior. The session or conference room soon shared the same fate. The materials of the building were brought into the street, and made into a barricade to prevent the approach of the horse. Behind this, carts were placed across the streets chained together. About ten o'clock the mob began to ring the church bell, which was followed by a few strokes from the watch house bell in Prince street. It had not the effect intended, which was to call out the firemen.

Messengers had been dispatched to the City Hall, and a few minutes before eleven o'clock, the 27th regiment of National Guards, under the command of col. Stevens, marched down Spring street. The detachment had been previously ordered to Pearl street for the security of Mr. Tappan's store, but being countermanded, proceeded to Spring street, as before recited. On arriving there, they found the street barricaded on both sides of the church, and so complete was the barrier, that a considerable time elapsed before possession of the church could be obtained. During this period the bell was kept ringing: the rope was finally cut by order of col. Stevens. The first barrier was carried with little difficulty by the pioneer guard alone. The second was more formidable, forming a bastion, behind which was assembled a large body of the rioters. A proposition was made to col. S. to retreat, which he declined, and thereupon his detachment approached it, and soon carried that also, by no greater force than the pioneer guard, and a few soldiers detached from the column. They were soon joined by justice Lowndes, at the head of a band of watchmen, and thus reinforced, thoroughly cleared Spring street; nor is it correct that on any occasion, the military retreated before the mob. A report has also obtained that the military were unprovided with ammunition. This also is untrue. They were supplied with six rounds per man of ball cartridge, which, had the rioters proceeded to further extremities, they would doubtless have ascertained to their cost.

After leaving Spring street, they proceeded to the residence of the rev. Mr. Ludlow, in Thompson street, whose family had retired. Here they broke in the windows and doors, and did all the injury they thought proper, and left the ground.

The following additional particulars we insert from the Daily Advertiser of this morning:

**Five Points.** This was a scene of great riot and disturbance; the vengeance of the mob appeared to be directed entirely against the blacks; whenever a colored person appeared, it was a signal of combat, fight and riot. Five houses of bad character, were principally demolished; many broken heads was the result of the affray. The authorities, with alderman Ferris

and assistant alderman Ballagh at their head, were very active; indeed the alderman and assistant conducted in the most energetic manner, and seized several which they put in charge of the watch. The mob made it a rule that whenever a house was not illuminated by candles, they would dash in the windows. In this way, the streets in the neighborhood of the Five Points, presented a brilliant appearance. The whole neighborhood was in great confusion all night.

**A church and four houses injured. 2 o'clock.** We have just returned from one of the most disgraceful scenes we have ever witnessed. In thirty years' acquaintance with the city nothing has ever happened to compare with it. At 11 o'clock the mob to the number of some thousands, commenced their work of fiend-like destruction, by tearing down St. Philip's Episcopal church in Centre street, and occupied by a colored congregation. We stood by for two hours witnessing these outrages.

For more than two hours they had entire possession of that portion of the city, without any one to molest them. Hundreds of citizens stood by, anxious to interfere, but the odds were too fearful. It is next to impossible to describe the scene; hundreds of infuriated devils were shouting, hollowing and busily employed in tearing out the doors and windows, the interior of the church, and whatever they could lay their hands on, and throwing it into the street. After they had finished, they attacked one house adjoining, and three opposite, all occupied by colored people, the doors and windows of which they demolished. Their rage appeared to be declared against the blacks.

A few minutes before one o'clock, having exhausted their strength, they gave three cheers and shouted away to Anthony street. A large body of watchmen, with Hays at their head, entered the street and dispersed the crowd.

The military were on duty, and the mayor was at the hall all night. It cannot be disguised, however, that the mob were complete masters of the city, and the city government was overawed, and for the time at an end.

It is impossible for any man of correct views to look on and witness the fury of a mob, and not feel that it is the duty of all to cling to the support of the laws.

We hope the riot and disgrace is at an end, but we have no confidence that it is, or will be, until the military are called out, and every assemblage is dispersed by military force.

**Three o'clock.** The last accounts we have is, that the mob were on their way to Spring street, but it is not known whether any further violence was done. The mob appeared to act with great judgment and concert. We observed that every few minutes their messengers would arrive and announce to them whether the watch were in force or not. They appeared to be in different detachments, and to appear in different parts of the city at once.

These gross violations of decency and order we totally condemn, yet there are two particular circumstances respecting them, which admit of no excuse or palliation, and which we especially deprecate. The first is the attack upon the blacks and their property. The other act to which we allude is the sacrilegious attack upon the churches. Even apart from any considerations that they have been consecrated to the service of the Most High, yet there is rank injustice in this infamous proceeding. Dr. Cox's church, for instance, has been twice or thrice assailed—and yet it is publicly known that nine out of ten of the trustees of that church dissent from their pastor in his opinions on the subject, which has given so much offence.

Thus it is perceived that the innocent are punished for the sins of the guilty (if guilty they are). But we are aware that it is almost, if not wholly, useless, to reason with a mob. The strong arm of power, when their passions or prejudices are excited, is the only power they can be brought to respect. It is high time that that power should be brought to bear upon them with more efficiency than it has hitherto done. The sacredness of home must not be violated. Churches must not be ransacked and demolished. The peace and repose of our citizens must not be reclaimed them, resort must be had to such as will be efficacious. They are said to spurn the watchman's club, and deride the mace of the police officer.

But before any fatal instruments of destruction are applied, let proclamations from the mayor, by thousands, be prominently posted on every corner and conspicuous place in the city, warning all persons who are unwilling to incur the hazards of participating in the mobs, to remain at home. Then the military will have no fear of killing, maiming or wounding the innocent. What are the arrangements for the ensuing evening we have not been informed; but from the perils which surround us, may heaven inspire wisdom and firmness to defend us!

**Half-past twelve o'clock.** We have this moment received the second proclamation of the mayor. It will be seen that all the military force of the city is called out—the mayor, also, invites the assistance of the citizens and requests them to call at his office and be clothed with special authority to aid in suppressing the riots.

#### PROCLAMATION.

WHEREAS, this city has again been the scene of riotous proceedings, disgraceful to a community living under a government of laws; and whereas the rights of peaceable citizens have been infringed, and their property destroyed; now, therefore,

I, Cornelius W. Lawrence, mayor of the city of New York, do hereby require and command all good citizens to unite in aid

of the civil authorities, to put an end to these disreputable occurrences.

I enjoin and request citizens to offer their services, and to receive authority to act as a part of the civil power. I call upon commanding officers of all organized military corps, to volunteer in support of the laws. Commandants will select their own places of rendezvous, and report their numbers and position at the mayor's office, by or before 6 o'clock, P. M. this day.

And further, I caution, in the most friendly spirit, all those who, to resent an offensive difference of opinion, have allowed themselves to usurp the authority of the laws, against inciting or abetting further commotion.—*The laws must be maintained.* Destruction of life must inevitably result from a repetition of similar acts of violence. The magistrates are governed solely by a desire to preserve the peace of the city, and to protect the lives and property of its inhabitants; and in their endeavors to effect this end, they will shrink from the exercise of no power placed within their control.

I hereby caution and request all persons who have not reported themselves to me, and been authorized to act in support of the laws, to remain at home during the present excitement.

#### CITIZENS OF NEW YORK.

By your respect for the character of the city, and the interest you all have in the preservation of the laws; by your regard for the safety of your families, and friends, I call upon you to assist in keeping the peace.

Given under my hand, and the seal of the mayoralty of the city of New York, at the City Hall, this twelfth day of July, in the year of our Lord, one thousand eight hundred and thirty-four. CORNELIUS W. LAWRENCE.

#### First division N. Y. state artillery July 12, 1834.

At the request of his honor the mayor, the division is ordered for duty to preserve the peace of the city. The several brigades of the division will form on their respective parade grounds this afternoon at 4 o'clock, and report to the major general at the mayor's office, City Hall.

Notwithstanding that the mayor and the magistrates have used every due diligence to put down the spirit of insubordination which has been exhibited these few days past, and their duties have been very arduous, they have found it necessary again to appeal to the military, and it is our duty to aid them.

Governed on these occasions, as the military necessarily must be, by the magistracy, the community will not attribute to them a want of determination to pursue the most vigorous measures for the suppression of all riotous proceedings.

We therefore confidently hope we shall be sustained by our fellow-citizens in the performance of our duties, whatever they may be.

The services of the regiment under the command of colonel Mumford are accepted, and he is directed to report to col. Morris, commanding the 6th brigade, by whom a post will be assigned to them in line.

By order of major general MORRIS.  
S. D. JACKSON, division inspector.

#### RIOT AT NEWARK.

What are we coming to? Where are these mischiefs to end? We had indeed hoped that, grievous as they were, they would be confined to our ill-fated island. But we were deceived in that hope, and learn that like results, springing from like causes, occurred last evening at Newark.

It seems that the rev. Mr. Weeks, who has been recently inculcated with the amalgamation infection, introduced a colored man into his pulpit last evening, against the previously ascertained will of the people. When the populace found this out, they entered the church in great numbers, took the latter forcibly from the pulpit, conveyed him to the jail, threatening to tear it down if the jailer did not receive him—locked him up,—and then returned to the church, broke the windows, tore down the pulpit and pews, and reduced the edifice to a shell.

#### From the N. Y. American of July 14.

The peace of the city was undisturbed during Saturday and Sunday nights—partly, possibly, because the spirit of misrule has exhausted itself, but mainly because of the energetic means taken to put it down, at all hazards.

After the mayor's pointed proclamation of Saturday, hundreds of citizens were qualified as special officers to keep the peace; and the military in large numbers, horse and foot, were ordered out. They answered the call with alacrity, and during the greater part of last night and Saturday night, they were stationed in different parts of the city, keeping up their communications with each other, and with the head quarters at the City Hall. The mayor, aldermen, district attorney, police magistrates, sheriff, with the civil force, and the watchmen, were on the ground, and, as we understand, the firemen, with their accustomed zeal, turned out as a body in aid of the public authorities.

The result was, that little or no appearance of riot occurred. On Saturday night, a considerable collection of people at the head of Catharine street caused the watch some trouble; but after a short contest, in the course of which, many of the mob and some of the watch were knocked down, they were dispersed. The objects of this mob were, it is said, (but of course on such occasions there is much idle rumor and exaggeration), the African churches and schools, some other churches, and

the houses of A. Tappan and others. Last night, though all sorts of bloody menaces on the part of the mob against individuals and churches, were circulated, and possibly deemed authentic, the only appearance of disorder was in Reed street, and that was instantly put down. About one hundred and fifty of the rioters, according to the Daily Advertiser, are in prison, "among them many convicts, and characters of the worst description." These of course, would urge on misrule, as long as it was safe and while paper proclamations, and friendly admonitions, unbacked by bayonets and bullets, were the only means of resistance: when danger came, however, they, as is the nature of villains, sneak.

It may, we presume, be considered, that for the present the riotous spirit is allayed, though undoubtedly the authorities will not omit the proper precautions to crush at once any attempts at prolonging the disgraceful outrages of Friday and Thursday.

The rev. Peter Williams, a colored man, who is the rector of St. Philip's church, which was assailed by the mob, on the suggestion of his bishop, Onderdonk, has completely separated himself from the anti-slavery society, in an excellent address to the public, but which is too long for insertion by us, at this time. Mr. Williams is spoken of as a man of "exemplary character and conduct"—and his address does honor to his head and heart.

Another peace offering, in the shape of a disclaimer of certain imputed opinions, was made public on Saturday, in handbills circulated throughout the city, of which the following is a copy:

AMERICAN ANTI-SLAVERY SOCIETY.—Disclaimer.—The undersigned, in behalf of the executive committee of the "American Anti-Slavery society," and of other leading friends of the cause, now absent from the city, beg the attention of their fellow-citizens to the following disclaimer:

1. We entirely disclaim any desire to promote or encourage intermarriages between white and colored persons.

2. We disclaim, and entirely disapprove, the language of a handbill recently circulated in this city, the tendency of which is thought to be to excite resistance to the laws. Our principle is, that even hard laws are to be submitted to by all men, until they can be peaceably means be altered.

3. We disclaim, as we have already done, any intention to dissolve the union, or to violate the constitution and laws of the country; or to ask of congress any act transcending their constitutional powers; which the abolition of slavery by congress, in any state, would plainly do.

ARTHUR TAPPAN.  
JOHN RANKIN.

July, 12, 1834.

We have also the following from Newark N. J.

On Saturday night there was another disturbance at Newark. The mob attacked a barber's shop kept by a black man, but were dispersed by the timely arrival of the police. Mr. Weeks, the clergyman whose church was destroyed on Friday, issued the following note to the people of Newark:

"You will do me a favor if you will please to state, for the information of the public, that I am no advocate for the amalgamation of colors. I believe that God, in making men of different colors, has sufficiently indicated the duty to us of keeping them separate, and of allowing of no intermarriages between them. I have not time for further explanations. Yours,

WM. R. WEEKS.

Though the quiet of the city yet remains undisturbed, some fears of new troubles are entertained, in the continued imprudences of certain of the anti-colonizationists, which are severely reprov'd in most of the newspapers. The people of color are well spoken of for the propriety of their conduct during the late agitations in New York—submitting even to the personal and unprovoked injuries inflicted upon them, with patience.

On the 14th, the mayor sent a message to the common council congratulating the members on the restoration of order, and on the zealous support which had been afforded to maintain the sovereignty of the laws. He says that the military on Saturday were provided with ball cartridges, and had orders to use them, if necessary, to prevent further commotion—which, happily, was not the case.

On the night of the 9th inst. an abolition riot took place at Norwich, Connecticut. It appears that some person from Boston had, the evening previous, preached an abolition sermon in the rev. Mr. Dickerson's first Presbyterian church in that city, which passed off quietly. The next evening he made a second attempt when a mob, headed by a band, marched to the church, proceeded up the broad aisle, took the parson from the pulpit, and forced him to march before them, at the same time playing the rogues' march, till they actually drummed him out of the place, threatening if he ever returned again to "give him a coat of tar and feathers."

Among the rioters arrested at New York have been discovered several persons whom the police officers had long been looking for in vain.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The laws passed at the last session, with relation to the Indians, inserted in this number, will receive the attention of those who feel an interest in the concerns of this people.

Monday last was given up, at Philadelphia, to honor the memory of LAFAYETTE. It was an occasion in which all parties could unite for a common object, and the spectacle was one of much interest and solemnity, the different classes of persons being numerously represented by those present in the procession—which was so long that it required about two hours and an half for it to pass. It halted at Zion church, where the civic part of the procession filed through the military, and entered—and, prayers being offered by the truly revered and really revered bishop White, who was chaplain to the revolutionary congress, and a funeral eulogy pronounced by the venerable and learned Mr. Du Ponceau, who was a personal friend, and one of the aids of Lafayette in our revolution, the ceremonies of the day were closed. All things seem to have been done in the happiest manner.

At the funeral solemnities in honor of LAFAYETTE, at Fredericksburgh, Virginia, the chief mourner was Mr. J. B. Herard, an aged French citizen, who was a member of the national convention of 1792, of the legislative assembly which succeeded it, and a colleague of Lafayette in the chamber of deputies, in 1815, on the second abdication of Napoleon.

We present some very interesting and comparative views of the commerce and navigation of the United States.

Our long valued friend and kind neighbor, William Gwynn, esq. ceased to be either the proprietor or editor of the "Baltimore Gazette," on Monday last, after having issued that paper twenty-one years and six months. He has retired in a neat and bland address to the subscribers, and with an earnest recommendation of his successor, Mr. William Gwynn Jones, to the support of his old friends and those of the establishment—and the latter says that "the Gazette will continue to maintain its character for neutrality in the political contests which may agitate the country."

While cheerfully admitting William G. Jones into our ranks, and tendering him the right hand of editorial fellowship, we may be permitted to say, on the present occasion, that we exceedingly regret the causes, be they of what nature they may, that have so far separated us from WILLIAM GWYNN, with whom we have had a close acquaintance for more than thirty years, and always, and, in every instance, found him the same generous and affectionate friend, and worthy gentleman. But as he remains with us, and will resume his profession of the law, (or rather give up all his time to it), we hope long to enjoy that social intercourse with him which has so often afforded both pleasure and profit.

A daily newspaper of a large size, and called the "Advertiser," is now publishing in the city (late village) of Bruffalo, New York—a place so remote and unimportant previous to 1812, as hardly to obtain a mark on the map, except as being located at the eastern end of Lake Erie. This paper is made up of seven long columns in each page, and twenty-three columns are filled with good-looking and apparently wholesome advertisements.

Mr. Taney, late secretary of the treasury, returned to Baltimore on Monday last, at about 4 o'clock, P. M. He was escorted into the city by a cavalcade of about 200—and met a large number of his political friends at the Columbian Garden, as previously arranged, who were addressed by him and others. And, on Thursday last, he dined at the same place, with a very numerous company.

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The party was addressed by Mr. Taney, Mr. Benton, of the senate, and Mr. Allen, of the house of representatives from Ohio. There was a heavy storm of wind and rain from the north, which carried away the awnings over the tables and completely drenched the company, while Mr. Benton was speaking.

Mr. McLane, late secretary of state, also arrived at Baltimore, with his family, in the steamboat from Washington, on Tuesday last, without parade or excitement. His arrival was expected—but a belief was entertained that he wished to return to Delaware with the quiet of a private gentleman; and, if this opinion had not prevailed, each of the great political parties seemed doubtful of the course that would be agreeable to him, or proper in them, to pursue; and many that would willingly have shewn a personal respect to Mr. McLane, were, perhaps, prevented by the considerations just stated—the spirit of which was not unkind or discourteous.

The "National Intelligencer" of Tuesday says—

Mr. McLane, the late secretary of state, with his family, left this city yesterday, at one o'clock, in the steamboat for Baltimore, on his way to his residence at Wilmington, in Delaware.

We cannot allow this truly estimable family to leave us without the expression of regret, which we are sure is common to the whole circle of their acquaintances, that circumstances should have obliged them to retire from the bosom of a society by which, without reference to political distinctions, they were respected and beloved.

The board of health proclaims several deaths from Cholera in Cincinnati—nine in the preceding week, of which six were strangers and three residents; but they do not regard the disease as a present epidemic, and express a hope that it will not become one. The papers also contain the following card—

*Epidemic cholera.* This disease, which raged with so much violence, up the river last week has been rapidly abating for two or three days past.

The fears which some persons entertained, on Sunday, that it was about to become prevalent in Cincinnati, seems not likely to be realized. Many reasons might, indeed, be given for expecting that the country will be much more severely visited than the city. Those who are in the city should remain at home. It was a singular movement of a number of persons last week, to fly to the country, because they heard the cholera was there.

Those who came into the city for security, certainly reasoned in the most logical manner.

It was remarked on the river, where the cholera lately prevailed, that it was constantly worse after a thunder storm. Was not this owing to the great heat before and the coolness and dampness after that event? All persons, according to this view, should be careful to guard against the action of the air on the surface of their bodies, in the latter part of the night; children especially should be protected. DANIEL DRAKE, M. D.

July 15, 4 P. M.

From one of the ascending steamboats, eighteen persons had been buried, on the Mississippi—and nearly all the boats appear to lose some passengers, most of whom are German emigrants, badly provided, and exposed to the mid-day sun and night-air, on deck. We have also the following from the Charleston (S. C.) Patriot:

We learn from Clarendon, that an epidemic so like the cholera prevails there, that at least one physician believes it to be that disease. If it is, it seems to be much modified, though it has been more fatal than any ordinary complaint of the sort. — has lost twenty negroes by it. On the other side of the river, (Richland district), and on several plantations, the greater part of the negroes are down with it.

A few deaths by cholera were happening at several places in the west. Individuals are carried off in very short periods of time—and men wonder that death so suddenly follows apparent health.

The Irish and German emigrants seem most liable to this disease of all other persons. They are congregated in masses—badly supplied with wholesome food, and oftentimes covered with foul clothing, as well as much exposed to the weather. Out of these facts, useful knowledge may be gained.

The most careful and prudent, and best provided for persons, sometimes die of the cholera—but the comparative number of these is few, even when the disease becomes an epidemic.

Many fatal cases of cholera are happening at Montreal, La Chine, and other places in Canada. The newly arrived emigrants make up the greater part of the number, and they perish also from the free use of cold water. The thermometer had ranged between 90 and 98, in the shade.

The bank of the United States has considerably increased its discounts, and freely purchased exchange on England—neither of which gives satisfaction to its opponents, though also lately dissatisfied while the bank was gathering up its means to defend itself, and so preserve a sound currency, in which, as we have shewn, the stockholders of that bank have a deeper interest than any other class of persons.

It is said that exchange will soon rise to the real par, as it must, if persons resume confidence in business, and make importations of goods as heretofore; and added, that the bank will make a large profit on its draughts on London. For this, also, the bank is assailed.

Though some relief has been afforded in the money market, the yet sluggish circulation of money renders it "scarce"—for persons who have it are cautious in suffering it to pass out of their possession; and thus we suppose that it will be, let the United States bank do all that it possibly can, until the business of the currency is somehow arranged, and persons can ascertain what may be reasonably depended on.

As an evidence of what is just stated, we see it shewn in the United States Gazette, that the Philadelphia loan of 1833, for \$100,000, was taken at a premium of \$15,050—the offerings being 346,500; but now a loan for the like sum, and of the same description, has produced a premium of only \$6,021—or 8,928 less than in the last year, and the offerings amounted only to 147,000, of which 30,000 came from the sinking fund of the city.

The excitement about banking matters continues in Baltimore. A publication issued by Mr. *Poulney*, late president of the bank of Maryland, implicates other persons, and, involving important transactions, many singular expositions are expected. There are other proceedings concerning the "Tennessee bonds" of an exciting character.

These things have, at present, too much of a local character for our pages—and besides, we do not wish to meddle with them at all; but may, and will, if it shall appear to us that the public good is concerned in references to them. Of this we are sure, that the welfare of the city is not promoted by these doings.

The following is a notice of the third case of the kind that has been recently published. The question has oftentimes been asked, where is the treasury of the United States? It was at Washington—but to some, even of the public officers, it is not there at present.

The Philadelphia Daily Advertiser says—  
"Some time since, a mercantile house of the city of Philadelphia received a remittance for a house in Upper Missouri, of a draft on R. B. Taney, secretary of the United States treasury, Washington city, drawn by the surveyor of public lands at Little Rock, in Arkansas territory, for 375 dollars, being one quarter's salary, due and payable on the first of July. This draft was deposited for collection, and, when due, was protested for non-payment. The reason given in the protest was, that, when the notary presented it at the office of the secretary of the treasury for payment, the chief clerk replied, it could be paid by a check on *Natchez* or *New Orleans*—not otherwise." The draft and protest were therefore sent back to Philadelphia, and the mercantile house, having no authority to receive such kind of payment, was compelled to return it to the house in Upper Missouri, who will have to send down to Arkansas territory to get authority to receive payment in checks at 2 to 3 per cent. below par, in addition to the loss of time, and expenses of protest and postage."

To what an extent the losses spoken of might have proceeded no one can venture to say, had not the following clause, on the motion of Mr. *Pointexter*, been inserted, or forced, into the general appropriation bill—

"Sec. 3. And be it further enacted, That no payment of the money, appropriated by this act, or any other act passed at the present session of congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made, provided that nothing herein contained shall be construed to make any thing but gold and silver a tender in payment of any debt due from the United States to individuals."

But for this clause, millions of "uncurrent money" would have been imposed on the circulation, as it was mentioned in our last that the crew of a public vessel, at Portsmouth, N. H. had been paid off in bills of the western banks of *New York* or the bank of *Michigan*, which "poor Jack" had to sell, before he could purchase "even a glass of grog." Had not such proceedings been arrested, an unparalleled amount of shaving would be now transacting in all parts of the United States, and the thing so managed that, while the deposit bank at *Portsmouth*, perhaps, paid off the public creditors in bills of the bank of *Detroit*, the latter would pay them in bills of the bank at *Portsmouth*, and, through the aid of friendly, if not allied dealers in "money," each bank, or its agent or other shaver, would make 2 or 3 per cent.—say five per cent. on the double operation. This would be a "sawcing of candles," and "sanding of sugar," with a vengeance! The following was the vote in the senate, on this clause—a party one, with the exception of Mr. *King*, of Geo. in the affirmative, and Mr. *Kent*, of Maryland, in the negative.

YEAS—Messrs. Bibb, Black, Chambers, Clay, Clayton, Ewing, Frelinghuysen, King, of Georgia, Knight, Mangum, Naudain, Poindexter, Porter, Prentiss, Robbins, Silsbee, Smith, Southard, Sprague, Tomlinson, Waggaman, Webster—22.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, Kent, King, of Alabama, Linn, Morris, Preston, Shepley, White, Wilkins, Wright—16.

It is impossible, we think, that a majority of the gentlemen in the negative could have viewed this matter in the light in which it now presents itself so clearly to us; and the senator from Pennsylvania might have well recollected an occurrence which happened in his own state, not very long ago, which, whether truly proclaimed or not, was the main cause of changing the administration of that commonwealth.

But even with this wholesome clause inserted in the bill [which happily applies to all the appropriation bills] great inconvenience will ensue if the spirit of the proceeding stated as to the surveyor in Arkansas, is carried out in *extenso*—and injustice also be done, in the *new* conditions forced on persons claiming payment for public services rendered. It easily may be, and, in many instances, no doubt was, a part of the consideration of contractors and others that they were to be paid in funds that were of equal, or, as nearly as possible, equal value in the east and the west, the north and the south—for the payment of 3 per cent. on exchanges is the same as a loss of six months use of money—which is no small affair in business transactions; and it is well known that the public disbursements in the west have entered extensively into the amount of remittances eastward, leaving the local currency, or specie circulation, to that amount, "at home," for common use. A check on *Natchez* or *New Orleans*, is just as good to satisfy debts or make purchases in either city, as a check on *Philadelphia* or *New York* is, to be used in them; but if the funds are not to be expended at the place where the check is payable, the check becomes a bill of exchange, or an article of merchandise, and commands a premium or submits to a discount, according to the course of trade, which seems against the west so far as this—that, although a great deal of money is carried, or transmitted,

\*Our authority for this is the "Providence Journal," which also says—

"It is known that almost every claim against the government for services and supplies, is now paid by checks on distant deposit banks. Bills for \$1, \$2, \$5, \$10 and \$100, are paid by the treasury department, by remitting to the public creditor in Maine, Louisiana, and other remote parts of the country, checks on the bank of the Metropolis, at Washington, which are sold by those who receive them in payment for honest claims, at 10, 20 and 50 per cent. discount. We have seen checks for \$2, \$3 and \$5, drawn by officers of the different departments on this favorite net institution, sent here to pay bills against the government, of these small amounts. They were of course scarcely worth collecting, and were sold by the holders for 50 and 60 per cent. discount."

from the east to the west, it generally, and soon, returns to the east, not oppressively, but as it were naturally—and in the same manner, and on the same principle, that the United States, on account of stocks or importations, or otherwise, is *always* behind-hand with Great Britain, though bills on the latter country may be really under the true par in the former; this case oftentimes shewing (as at present), only an inability, or an indisposition, to purchase them.

There is a "right" in the government, surely, to pay its creditors where it pleases, being so understood in the contract or engagement made between the parties; but the exercise of that *right*, without such an *understanding*, may be altogether unjust, and certainly stands as an admission that the "experiment" of giving us a "better currency" than the bank furnished, has already failed. The state banks, acting independently of each other, and every one for itself, cannot carry on the exchanges which the business of the nation requires, without large payments or losses on account of premiums or discounts, or cost of transportations of money; and it should be recollected that the average of the 240 millions of dollars, in distant\* exchanges, (made by the bank of the U. S. in 1832), cost the public only the eleventh part of one per cent. What would it have cost to have made these exchanges in *dollars*?

One other remark. The cost of exchanges, or amount of discounts paid on uncurrent bills or bank notes, ultimately, and oftentimes, *directly*,† falls chiefly on the working or poorer classes of the people. The public contractor or private merchant may calculate, and should calculate, the losses on, or reductions of profit to which he is liable, and add them, as the importer adds the duty on goods received from foreign countries, all which must fall upon consumers. But there is this great difference, that duties, so far as they have a pure *protecting* character, are fully balanced in advanced wages paid for labor and materials and supplies of all sorts; whereas the losses sustained on exchanges have no countervailing benefit, unless in the support of the few persons who deal in money.

The "Richmond Enquirer" gives the following extract from the will of the late Mr. Randolph, of Roanoke, dated January 1st, 1832.

"I do hereby appoint my friend, William Leigh, of Halifax, and my brother, Henry St. George Tucker, president of the court of appeals, executors of this my last will and testament, requiring them to sell all the slaves and other personal or perishable property, and vest the proceeds in bank stock of the bank of the United States, and in default of there being such bank, (which may God grant, for the safety of our liberties, in the English 3 per cent. consols; and in case of there being no such stocks, (which also may God grant, for the salvation of old England), then in the United States 3 per cent. stock, or in defect of such stock in mortgages on land in England."

There is, in our apprehension, no small degree of inconsistency in the points made in this extract. He, Mr. R. regarded the bank of the United States as the safest possible place of deposit for his money, and directed that it should be vested in its *stock*—and yet, for the sake of the "liberties" of his country, wished that there should be no such bank; but, for the safety of this *money*, he would have made his heirs partners in the concern against *liberty*. If such a bank ought not to be, why interest persons in its continuance, and give it fresh strength to do evil? Every man opposed to any particular thing, should not touch it; and one of the weakest, as well as most common excuses for offences, is—"If I won't another will, and so I may as well do it." The testator must have well known that all *new* demands for the stock of a bank strengthens the bank, in the increased public

confidence, as well as personal interest, that it inspires. Why then become a party in the case stated?

We should have thought that Mr. R. would have preferred "mortgages on *land*" in the "Ancient Dominion," to all other kinds of security—but in case of default in the stocks described, he directs that the investment should be made on "mortgages on land in *England*"—and the whole shews, that he had full faith in the solvency of the bank of the United States—much faith in the British 3 per cent. consols—and a *saving* faith in mortgages on English land—but no faith in the public stocks of his own country or state, or any of the states, (except the United States 3 per cents.) or in the state banks, nor on property in American lands, to pay interest upon or repay the capital invested.

To estimate the matter rightly, it should be recollected that Mr. R. was opposed to the whole banking system, and oftentimes had expressed his regret that the old days of honesty and *chivalry*, when debts were paid in "TOBACCO," had passed away, never to return to—*Virginia!* He had a better opinion of "pounds of tobacco" than of pennyweights of gold. He seemed to consider tobacco an *original principle of value!*

The "Globe" of the 21st, speaking of the late dividend of the bank of the United States, has the following paragraphs, which we insert just as they are *printed* in that paper:

We have been put in possession of a fact which may explain the seizure and sequestration of the public dividends by the bank. It will be recollected that the dividend recently declared for the last six months, was  $\frac{3}{4}$  per cent. Now, we are informed, that to take up this dividend, *required about \$70,000 more than the entire net profits of the bank for the last six months!* So great have been Mr. Biddle's printing and other *political* expenses, and so disastrous his needless curtailments upon the interests of the bank, that he was obliged, in order to keep up the usual dividends, to make a breach into his capital or reserved funds, or *plunder somebody* to make up the deficiency. Having a majority of the senate devoted to him, and ready to defend all his outrages, he has thought the best way to make it up is to *plunder the government!* This he has done, by seizing on the public dividends, to the amount of \$158,000. This makes up the \$70,000 deficiency, and leaves \$88,000 surplus, to be used for a like purpose in future.

Thus it is that THE PEOPLE are made to pay for the corruptions of this bank. The most brazen-faced of the bank advocates do not pretend that the bank has really incurred a damage of \$158,000. All they maintain is, that *by law they are authorised to charge it*. By their own showing, it is *charging something for nothing!* It has no equity or justice in it, according to their own statement of the case. They take the money, not because it is *right*—not because they have paid, or done, or suffered anything for it—but because they say it is *lawful*.

But the truth is, there is no law to authorise it. No law, no precedent—nothing can be found to palliate the outrage. The bank seizes the money, *because its managers think they can hold it through the corruption of the public authorities!* We shall see.

We should think that if there was a reasonable discretion in the editorship of the "Globe," the matter about the bill that was drawn upon France would never be stirred, for people are apt to ask—*why was the bill drawn at all?* but, if properly drawn, *why sold*, instead of being handed over for *collection*?—for it is alleged that its product, passed to the credit of the United States, remained idle in the bank, and, *therefore*, that neither damages or interest ought to be charged. The treasury, in this affair, performed a common mercantile operation,—but a merchant would be thought insane, if offering to excuse himself from the payment of damages or interest on such a bill, for the reason that he had had as large an amount of money lying idle in a bank. And such merchant would also be thought a "queer one"—a fool, perhaps, for *selling*, or having *discounted*, any bill due him, before it was apparent that he should want its proceeds. The bank offered to *collect* the bill, and then the usual or actual rates of exchange would only have been required or paid; but it was desired that the bill should be *purchased* by the bank—and thus the bank was made liable for the damages charged, and would have been compelled to pay them but for the intervention of a friend of that institution, who, for the *honor of the bank*, paid the amount of the bill—and yet the demand for damages in this case, such as no merchant or dealing man would *dare* to deny the exact justice of, is called "*plundering*," "*brazen-faced*," &c. and the reference made to

\*Mentioning those out of the places at the bank or its several offices are located, and including, of course, all the exchanges between the offices, &c.

†Millions of "good money" have been exchanged with brokers for "country money" at a discount on the latter, and directly paid to working people. We have many times *known* the very bank notes that we sold to brokers, as unfitted to pay our workmen, sold to other employers to pay off theirs. We have repeatedly seen the exact operation performed; and the money thus obtained and paid out, very probably came back to the same broker, to undergo another operation, before the workman's wife entered the market to purchase food for the family. There is less of this going on than there used to be—but still cases are not wanting.

the law, also imputes a charge of "corruption" in the judiciary of the United States, by the "Globe," for doing what the law ordains; for there is plain law on this subject, aye, and precedent too, notwithstanding what is so recklessly asserted on that subject.

Of other points made it is useless to speak.

The following paragraphs concerning the gold bills and gold, are registered for future use—

*Extracts from the Globe.*

"Happily they have but few banks in the west, and therefore need gold to carry about and to travel upon. Happily again, the greatest supply of gold will go to the west. The emigrants removing to that great region will all carry gold in preference to either silver or paper; for it is lighter than silver, and sater than paper. The land offices will become receptacles and reservoirs of gold; whence it will be distributed to the country through the government disbursements through the military, the surveying and the Indian departments; and wo to the officer who, having received gold from the government, shall presume, or dare, to offer paper to the soldiers, or citizens. Then a great stream of gold will flow up the Mississippi from New Orleans, and diffuse itself all over the great west. Nearly all the gold coinage of the new world will come to the United States; for all the coinage of the new governments of Mexico and South America, being the coinage of rebel provinces, cannot go to old Spain, or to any of her dependencies, and therefore will come to the United States as its natural and best market. This will fill the west with doubloons and half joes; and in eight or nine months from this time, every substantial citizen will have a long silken purse, of fine open net work, through the interstices of which the yellow gold will shine and glitter. Then travellers will be free from the pestilence of ragged, filthy and counterfeit notes. Every substantial man, and every substantial man's wife and daughter, will travel upon gold. The satellites of the bank alone, to show their servile subjection to their liege monarch, will repine at the loss of paper!"

So gold was to be "as plenty as blackberries;" but the "Globe" again says—

"So inveterate is the bank opposition to this great measure, that many bank men *actually refuse to receive gold!* although it is but a few days, only until the first day of August, that it becomes a legal tender, at the advanced rates. They refuse to receive it except at the old rates, pretending that they prefer United States bank notes to gold. The republicans on the other hand, proudly receive gold at the advanced rates; and thus a new standard is developed in the country by which to test political parties. The bank party deride gold; the republicans extol it—the bank party throw it aside, and pretend they do not want it; the republicans eagerly seek after it, and prefer it to any thing else. Every republican that can get gold, travels upon it; every bank whig prefers the *Bid-well* notes.

*From the Pennsylvanian.*

I understand the operations of this establishment [the mint of the United States] are very tardy. It is well known that it has been for many years used principally for the convenience of the U. S. bank; and, unless I am greatly misinformed, that institution has acquired, and now exercises, too much influence over the operations of this establishment.

It is very certain that if the U. S. bank can, by any means, prevent the gold coins from getting into circulation *until after the October elections*, it will be a great object gained, and it is necessary for the people to exercise a most watchful supervision over all the public officers who have any thing to do with the gold coins.

PAUL FRY.

We see it stated, in some of the papers, that the gold tables published are not correct. We have not investigated the subject, and do not affect to understand it. The following, has reference to another subject, and is called by the editor of the *Boston Centinel* "inadvertent legislation."

A correspondent, who is an intelligent and accurate merchant, has sent us the following item.

"In the new gold law, the weight of an eagle is required to be 258 grains of standard gold—the half eagle 129, and the quarter eagle 64½. The value of standard gold is fixed at 94 and 3/10 ct. per dwt. At this rate a new eagle weighing 258 grains, would come to \$10 19 instead of \$10.37."

If these statements be correct, there has been an error of legislation, which must have been inadvertent, and was probably a clerical one. We find that 253 grains standard gold, are equal to \$10, and consequently, the eagle ought to consist of that weight, instead of 258, as provided by the law. This might have been set down as a typographical error, but that half and quarter eagles are fixed at the half and quarter of 258, as appears above, and moreover, numerals in legislative acts are written out. It is not improbable, that in the original draught of the act, a figure 3 may have been mistaken for 8, and the other calculations based upon the error and written out after the erroneous draught when the law came to be engrossed. Come the mistake whence it may, should any new eagles be made conformably to it, they would be worth more than \$10. But the probability is, that the error will be disco-

vered at the mint, and no eagles be made till the law shall be revised and amended at the next session of congress.

We have only to express an opinion that gold will not come into common use "until—after the October elections!" The eagles and their parts, at present coined, will never enter into the circulation, with their fractional values added. They are exceedingly inconvenient, and the people cannot understand them. And as to a new coinage, the preceding statement puts a "stopper" on that, if the matter is rightfully calculated—but were it otherwise, no one could have expected a great emission from the mint—"before the October elections!" It will require some time to get gold, and prepare it for coinage. Before a salmon is "cooked," it must be caught. And what have the elections to do with this thing? THE ELECTIONS!

It would seem, however, from the great noise that has been made about them, that the gold bills are thought, by some, to have much to do with the elections!—though not at all opposed in congress on party grounds, nor otherwise objected to, except that, in the opinion of several of the best informed members, the legal value of gold, as established in these bills, was rather high, as measured by the legal value of silver—which latter is the basis of legal values with us, and in many other countries. But the "Globe," and the numerous other presses which say as it says, do not understand, or suppress the fact, that the legal value attached to gold will have no sort of effect on its real value, in the money market. Our old coinage is now only as bullion, and will remain so till exhausted; and if the legal value in the new coinage be too high, that will also become bullion, except in forced transactions under the laws. These may give a certain degree of currency to even an adulterated coinage. The "continental bills" had such a one in the revolution. But if the legal rate of silver renders ten dollars more valuable than an eagle, the eagle, at 10 dollars, will not become the measure of values.

We as heartily desire a supply of gold coins, especially of half eagles and quarters, as any one; and only differ with some as to the quantity of fine gold to be contained in them. Frequently, and many years ago, we spoke of the too low value that we had placed on gold—and shall rejoice in seeing that the new value has not been placed too high.

Mr. Letcher has published a spirited address to the people of the 5th congressional district of Kentucky. His late opponent, Mr. Moore, is it said, has addressed a note to Mr. L. proposing that both of them should withdraw their claims—a proposition which "will be rejected with scorn," says one of the journals of the district.

Two members of congress Mr. Deming, of Vermont, and Mr. Slade, of Illinois, have died since the recess of congress.

Charles Webster, esq. recently died at Saratoga Springs, in the 72d year of his age. Fifty years ago he established, and for forty years published, the "Albany Gazette." He was an excellent man.

The New Orleans "Argus" of the 11th, though not given to huzzaga, has an article headed "Huzza! huzza for White!" and "Glorious triumph!" And then proceeds to say that in the city the vote was, for White (for governor) 948; Dawson 542—and adds, "we have carried all our ticket, and Mr. White is now 2,000 ahead, in this and the adjoining parishes."

When the counting of the votes in the city was concluded, a band in attendance struck up "See the conquering hero comes," and the successful candidates were serenaded until after midnight. This is the way of doing things in New Orleans.

It will be some days, however, before we can learn the result of this election. Mr. Dawson was expected to have a very strong vote in the south-eastern parishes.

H. Johnson (anti-Jackson) has been elected to congress in the place of Mr. White.

Mr. Ewing, of the senate, has accepted an invitation on behalf of the citizens of Kanawha, Va. to partake of a

public dinner with them. In his letter of acceptance, Mr. E. says—

"The valley of the Kanawha, is to me, a scene of early, and cherished recollections, and it will afford me the highest satisfaction to revisit it, and to take by the hand my old and esteemed friends, from whom, long since, and under far different circumstances, I received marks of kindness and regard, which I still delight to recur to and will long treasure in my memory."

It was in the "valley of the Kanawha" that Mr. *Evving* laid the foundation of his present high standing in society, by literally *heaving* his way to obtain an education,—which had been denied to him in early youth, by the adversity of his fortunes.

The committee, in their letter of invitation, say—  
They recognize in you not only a native son of our ancient commonwealth, but a cherished friend and former resident of this valley. And it is with no ordinary feelings of gratification and pride, that they have witnessed your advancement to the distinguished station now occupied by you, and which you have filled with equal credit to yourself and honor to our common country.

The letter is signed by A. Donnally, Wm. Whitteker, Charles Brown, Benj. H. Smith, Spicer Patrick, Thomas Wells, Andrew Parks, L. Welch, D. Ruffner, Joel Shrewsbury sen. George W. Summers, John J. Cabell, J. C. McFarland, Richard K. Cralle, D. Smith.

Several of the persons engaged in the late riots in New York have been tried, and some of them sent to the penitentiary, for short periods of time.

In noticing the criminal trials at New York, and in other places, we have been oftentimes led to believe that our present state prisons are not *penitentiaries*, and that this project of "reform" has totally failed. We see that some have been confined three or four times, and that one person, only 30 years old, had spent 17 of them in a state prison, which he has just re-entered for another term. These institutions, in our opinion, are much better fitted to *prevent* offences than to *correct* the habits of offenders—and hence, that petit crimes should be otherwise punished, and great offences, or repeated offences by the same person, have a much lengthened period of service—and, as it were, without the hope of pardon.

The report of a battle with the "Mormons," in Jackson county, Missouri, was not true; but these people, to the number of 800 or 1,000, well armed, advanced, assured by their prophet, *Smith*, that he would raise all that should be killed in fighting the battles of the Lord! The people of Jackson county had also armed themselves, and a bloody fight must have ensued, had the parties come into contact. But they had not, at the latest advices, and a hope is expressed that some negotiations may be entered into, to quiet the controversy. The marching of so large a body of armed men into the state, had caused much excitement among the people. In another part of this sheet will be found a letter from gov. *Dunklin* on the subject.

A great steamboat, on the general plan of Mr. *Burden's*, recently built at Troy, N. Y. is building at Prescott, in Canada. It is expected that she will easily ascend or descend the Long Sault Rapids of the St. Lawrence. Fitted and loaded, she will not draw more than 24 inches. She is to have two engines of 30 horse power, acting on one wheel, placed in her middle, or between her two hulls, which are cylinders, strongly hooped, 177 feet long and 9 in diameter.

The directors of the Union Gold Mining company have declared a dividend equal to twelve per cent. per annum. This company was formed in July, 1833, and consists principally of citizens of Philadelphia. Under an act of incorporation, granted by the legislature of Virginia, operations were commenced in April last, in Fauquier county, about twenty miles from Fredericksburgh.

A very large naval force is at sea, or ready for action, in the Mediterranean—say from 120 to 150 sail, many of them heavy ships, belonging to Turkey, Egypt, Great Britain, France, Russia, and the United States, &c.

We do not see any reason why the United States should keep up such a heavy squadron in that sea, unless as a school of instruction for our officers and men—for we, at

least, will not meddle with the contests for power which other governments may apprehend in that quarter.

The following letter, highly complimentary to Messrs. *Casey* and *Slade*, of the house of representatives from Illinois, was recently published in the Louisville Advertiser:

Washington city, June 30th, 1834.

Dear sir: The bill appropriating twenty thousand dollars for the improvement of the navigation of the Wabash river, has passed congress. Messrs. *Casey* and *Slade*, of Illinois, were very active and indefatigable in their exertions in favor of the bill, and the state from which they come ought to be proud of them, not only for their talents, but on account of their indefatigable industry as representatives.

Yours, &c.

What is the present state of the compliment paid Messrs. *Casey* and *Slade*, seeing that president *Jackson* has refused to sign the bill so much commended, and which, we learn, was important to the people of Illinois and Indiana?

The following are the total valuations of the real estate in the city of Philadelphia, and the districts named, at the last county assessment:

Northern Liberties.....	\$4,011,570 00
Southwark.....	2,349,315 00
Spring Garden.....	3,378,902 00
Kensington.....	1,697,726 00

\$11,637,513 00

City of Philadelphia.....

25,642,968 00

Total.....

\$37,280,481 00

There are several other districts in what is generally called *Philadelphia*, and the total valuation must have considerably exceeded 40 millions; but the *rules* by which such valuations are made, unless clearly stated, forbid a just understanding of the *real* value of the property assessed.

A detailed account of the poor rates and country rates in England and Wales, for the year ending March 25, 1833, has been printed, from which it appears that the whole amount levied was £8,739,881, of which £6,730,799 was expended for the relief of the poor, £254,412 in suits of law, and £1,094,669 for other purposes. The diminution, as compared with the year before, is, on the whole, four per cent.

The present prospect is, that a great and wholesome "reform" will take place in the Irish department of the church of England, and pretty speedily—and if so, it will be followed by reforms at "home." We think that a spirit is up that will separate the church from the state, the mitre from the crown, the crook from the sword, which now are in unholy alliance, in that country.

A letter from the rev. J. Perkins, dated Constantinople, April 15, says—

\* \* \* There is more hope too, of the Turks, in a moral point of view, than I had anticipated. They are rapidly running into every species of European improvement, among the rest, Lancasterian schools. Several barracks of soldiers, of four or five hundred each, are converted into these schools. The soldiers spend a part of their time in tactics, and the rest in the common branches of education.

The curse of *generalism* and of *priestcraft* still bears heavily on Mexico and Peru, and, indeed, on all the new *republics* of the south.

In the French part of the New Orleans Bee, of the 3d inst. (says the "New York Mercantile Advertiser and Advocate") we find the following intelligence, which we translate for our readers:

"We have just received a number of the *Atalaya Victoria* (Tamatlapis) of June 17th. In it is to be found official information, which makes us fear, that New Spain is now being desolated by a civil war. The following are extracts: "To the supreme head of the free state of San Louis de Potosi. Most excellent seigneur.—In the communication which the general Don Antonio Lopez de Santa Anna, sent on the 31st May, to the chambers of the union, you will see that he has exceeded his legal powers, and broken the federal charter, in constraining it as he understands it. The congress, in consequence of this, and before they had any knowledge of the conduct of Santa Anna in breaking up the national government, issued the following decree, and also the proclamation which has been published. Never was there an occasion when we had more need of union

and energy. Now is the time to resist this tyrant, who wishes to constitute himself supreme dictator. For this reason we wish you to receive the enclosed, and communicate it to your legislature.

IN THE NAME OF GOD AND LIBERTY.

San Louis de Potosi, 9th June, 1834.

The constitutional congress of the state, believing:  
1st. That the president of the republic, has not a right to construe the federal charter as he understands it.

2d. He has in his communications of 31st May, had the hardihood, wilfully to misconstrue the authority of the chambers.

3d. By these proceedings, he has passed the limits of his duties and infringed upon the federal constitution. Therefore this congress does decree, that—

1st. The state of San Louis, regarding as illegal, all the public acts of the president, inasmuch as he will not submit to be bound by the constitution and laws, which recognize in the chambers, the right of interpreting the articles of the constitution, and of publishing such laws and decrees as they may think proper.

2d. The governor of this state, shall communicate this decree to the legislatures of the other states, praying their assistance. The executive power of the state will publish, circulate and execute this decree.

(Signed)

VICENTE RAMERO.

MIGUEL LAZO, major.

San Louis de Potosi, 9th June, 1834.

And the New Orleans Courier of the 7th July, has the following paragraphs—

The brig Edwin, capt. Chasteau, arrived yesterday, in 7 days from Vera Cruz, with letters and papers to the 24th June.

There had been some hard fighting in the interior, but Vera Cruz remained tranquil.

The motto of the republic had been changed from "God and Liberty," to "SANTA ANNA AND RELIGION."

The city of Mexico is said to have declared for Santa Anna. The troops stationed at Campeachy had likewise declared for Santa Anna; but it was supposed that the place would soon be recaptured, as some government troops were on their march to it, and two vessels of war had been ordered there. The state of Vera Cruz had also declared for Santa Anna.

A conducta with \$600,000, is said to have been stopped by the partisans of Santa Anna.

A letter from Vera Cruz, dated June 21, says—

Business, both here and in the interior, is completely paralyzed on account of the revolution, which promises to be one of the most bloody and disastrous that this unfortunate country has ever yet witnessed; nevertheless neutral merchants like myself have nothing to fear, and all private property I conceive to be quite as safe as it has ever been. If the road between here and Mexico becomes settled, we shall have immediately a government or general conducta.

And another, from the same place, dated on the 12th, published in the N. Y. Journal of Commerce, observes—

"In my last I told you it was my firm belief the country would not be long in peace, after the law against the clergy. I also mentioned to you that the South Americans are too vicious and too ignorant to live under a republican form of government. What I said is now accomplishing; Santa Anna, who called himself a liberal, is now at the head of the military, clergy, and aristocracy of the country, under the pompous appellation of *jefe supremo y protector* of the nation, and, no doubt, will be soon crowned emperor.

"If you look over the other sections of this vast continent, you will see that all the chiefs, who denominate themselves presidents, are more or less despots than the late Fernando VII. and they all aim at a crown.

"Business in consequence is at a stand; civil war, anarchy and blood-hed will result, and desolate the whole republic."

There are various other accounts of the progress of the new civil war. The appearance of things is every way unpleasant. The *generals* and the *priests*, we fear, are too strong against the motto of the people.

We have also advices from *Pern*, dated Lima, April 29, which thus shew the state of this *general-ed* country:

On the 26th we received the important intelligence that the officers in Bermudez' camp, in Huancuyo, had effected a revolution against him, and had surrendered all the troops, about 1,200 men, to the president, who had appointed general Lafuente to take charge of them. This event may be considered as decisive of the fall of the insurgents, and we hope will soon restore us to tranquillity. The president intends marching immediately upon Cuzco. Bermudez was at first arrested by the officers who effected the revolution, but was afterwards permitted to escape with only one or two friends. He is pursued; but, we think, will escape to Cuzco.

Although this severe loss to Bermudez may be considered decisive of his fate, it will take some months for the president to obtain possession of the southern provinces, and much longer for the storm of passions, which civil war always creates, to subside.

There is no just hope of permanent peace and safety, in any of these republics, until the generals and priests are rendered severely subject to the civil law.

The following card, signed by thirteen masters of British vessels, was published at Rio de Janeiro on the 2d June:

To the commander of the U. S. ship *Natchez*.—Sir: The undersigned, masters of the British merchant vessels in this port, beg leave to tender their best thanks to you, for the prompt assistance with which you sent your boats on the 29th May last to the British brig *Ranger*, and at the same time, are very happy to avail themselves of this opportunity to express their grateful thanks to the officers of the American navy in general, for their promptitude in rendering assistance to British merchant vessels.

Considerable interest is felt as to the progress made by France in extending the benefits of civilization in *Algiers*. This progress has been much more obstructed than most persons supposed that it would be—for the *Arabs* are among the last people, perhaps, that would freely come under the dominion of European laws; and their ancient habits are adhered to with extreme tenacity and resolution. But the superior intelligence and organization of France, must, in time, build up a great and important possession in Africa, if persevered in.

The following may serve to shew the present state of the country. It appears that the *Arabs* are depreddating on one another—and, by dividing them, they may be commanded—and converted, in part, from wanderers into cultivators.

An official report, dated *Algiers*, May 23d, addressed by general Voiron to the minister of war, announces that the numerous depredations committed by the *Hadjoutes* upon the lands and flocks of the *Beni Khalil*, having exasperated that Arab tribe in a high degree, he resolved to punish the *Hadjoutes*, and compel them to restore the cattle they had carried off. About 500 men, nearly all mounted, together with a considerable part of the *Beni Moussa*, assembled at *Bonfarich* in the night of the 17th, to form a van guard. Gen. Bro, with several battalions, 100 horses and three field pieces, was ordered to march upon *Haouck Smara*. His instructions were not to attack the *Hadjoutes*, if they would restore the cattle they had taken. The latter imagining they could escape with impunity, fired some shots upon the van guard, which immediately fell upon them, and this attack being supported by gen. Bro, they offered little resistance. They fled, leaving behind them 400 or 500 head of cattle, which were given to the people of the *Beni Khalil*. The *Hadjoutes* suffered some loss. The next day the troops advanced with the intention of scouring the forest. A flag of truce was sent by the *Hadjoutes*, but the conditions of peace proposed not being accepted, the forest was scoured by the troops, who found immense flocks, which were bestowed on the *Beni Khalil* and the *Beni Moussa*. Tents, camels and bales of wool, were also carried off. We had three men killed, and five or six wounded, and the auxiliary *Arabs* also suffered some loss. The troops, having thus obtained for the *Beni Khalil* more than had been taken from them, set out on the 20th on their return, and the next day arrived at *Douera*.

The affairs of both *Spain* and *Portugal*, as to domestic contentions for the thrones of these kingdoms, respectively, seem settled, at last—and *Carlos* and *Miguel* have left the peninsula. The latter has been the most malignant and bloody ruler of modern times, and, as it would appear, ought not to have escaped with life. He is, however, to receive a pension of about 80,000 dollars a year, and will probably reside in England. He had gathered a property worth about £300,000 sterling, at *Elvas*, which, however, was taken from him.

But neither *Spain* nor *Portugal* are in a quiet state. Much is yet to be done to unite the people, so long and furiously divided into parties; and it will be well if the intrigues of a wicked priesthood do not cause new sheddings of blood, in civil war.

The following, describing the present condition of *Haiti*, (and we think that it is not much over-colored), is well worth the consideration of those who think that an immediate abolition of slavery, because, as they say, it is just in the abstract, can be beneficial to the objects of their sympathy. We once thought with these men—but a long residence in a slave state, abounding also with free people of color,\* soon made manifest to us the error into which we had fallen. In making this remark, however, we do not wish to be understood as also having changed our opinion of the *efficiency* of the colonization society to relieve us of the colored population—but we

\*The free people of color are, decidedly, the worst part of our population, so much so that it is hard to refrain from the purchase and keeping of slaves for household servants.

believe it is humanely designed as a means of relief, and, at any rate, will open a way for some to escape from the present degraded situation in which they are placed.

Extract of a letter from an officer on board the United States ship *Falmouth*, dated harbor of Hayti, June 30: "There is nothing new in this island, that we can learn. The blacks are, or appear to be, favorably disposed towards the people of the United States. This city, which once contained 60,000 people, (during the French dynasty), is now in a ruinous state, and can with difficulty count 5,000, including a portion of Boyer's standing army. At the time of the negro insurrection, and previous to the massacre, this large island was a perfect garden, but most of the then flourishing coffee and sugar plantations have been suffered to perish, owing to the indolence of the blacks. The French formerly exported from this island large quantities of sugar, but now they do not raise sufficient for home consumption. There are in the city of Hayti many splendid buildings, or remains of such, crumbling to pieces for the want of a few days' labor; not more than one-tenth part of the buildings are occupied. The streets were once beautifully paved, and had commodious side walks, but, like every thing else here, they are going to ruin. In short, the inhabitants are too lazy to do any thing but eat, drink and sleep. There are to be found here many men of opulence, and some few who have been liberally educated, and are truly very intelligent, but the large majority are but little better informed than the same number of monkeys." [N. Y. paper.]

The trade on the Rhine is said to be very active—and that 208 vessels arrived at and 170 departed from Cologne, between the 16th March and 15th April, last.

The "judgment of Solomon" is often referred to as a wonderful display of sagacity, and so it was—but it has been rivalled on many occasions, as well as in the case stated below, from the *Journal de Smyrne*:

"During the festival of the Bairam an inhabitant of the village of Funduekli had dressed his child, about two years old, in a shawl and cap ornamented with pieces of gold, and intrusted it to a slave, who left it for a moment seated in the court of the house. On his return the child was gone, and every search for it proved fruitless. The father applied to the seraskier, entreating him to inquire into the circumstances. This officer reflected that the child could not have been carried far on account of his cries, and therefore must have been taken by one of the neighbors. He did not communicate this idea to any one, but directed one of his messengers to go to the village of Funduekli at the hour of prayer, to enter the mosque, and summon the iman or priest to come immediately to his palace, and summon the man had come into the presence of the seraskier he received a positive injunction to come to him again on the morrow, and give him the name of the person who first came to inquire of him the cause of his being sent for to the seraskier. The Turks in general pay little attention to the affairs of others, not even to those of their priests, consequently, on returning to the mosque one man only came to him to ask the cause of so sudden a summons. The iman replied that it was only relating to a firman which he was to have read, but which was withdrawn. However, on being informed by the iman of what had passed, the seraskier caused the inquisitive man to be arrested, and discovered the body of the child concealed under the staircase of his house, and thus proved that it was he who had carried it off. He was sentenced to be instantly drowned."

**MR. RANDOLPH'S WILL.** At the late term of the general court of the commonwealth of Virginia, held at Richmond, a paper purporting to be the last will of John Randolph, of Roanoke, was offered for probate on behalf of John Randolph Bryan, an infant and principal devisee, by his next friend and grandfather, judge Conley; a motion was thereupon submitted on behalf of John, Juba and Essex, (slaves of Mr. Randolph), to permit them to appear for themselves, and the other slaves, to appear as parties and to oppose the probate of the said paper, and at the same time to offer for probate as the last will, another paper, by which they and the other slaves were emancipated. These motions on behalf of the slaves were overruled by the court on the ground, that while in condition of slaves they could not legally be admitted parties to any proceedings, other than a suit in forma pauperis, or bill in equity, for the recovery of their freedom. Upon this decision being announced, the same motions were submitted in the name and on behalf of the right rev. Mr. Meade, one of the trustees named in the last mentioned paper, which were allowed, and he became party on the record, for the purpose aforesaid. The parties not being prepared to adduce their evidence, a subpoena duces tecum was awarded to the clerk of Charlotte county court, commanding him to bring up the paper last offered, and commissions granted the parties to take the depositions of witnesses residing in London and Philadelphia, and the cause continued to the next term.

Counsel for Bryan—Johnson and Stanard. Do. for the slaves—Robinson, (attorney general) and Taylor, with whom Gen. Jones, of Washington, is associated. [Alex. Gazette.]

## FROM LIBERIA.

Intelligence has been received of the death of the rev. S. O. Wright, Methodist missionary, and Mrs. Wright, rev. *Matthew Laird* and wife, and *John Cloud*, Presbyterian missionaries. They had fallen victims to the fever of the coast. The rev. Mr. *Hersey*, late vice agent of the Maryland Colonization society, and the rev. *J. Temple*, the only survivor of the missionaries, have returned. The health of the colonists was generally good.

There is a great want of economy and industry among the emigrants. A colored man of the name of Jones, who has been on a tour of observation, says that he has never seen a home, except in Liberia, and that any colored man who would go there with a disposition to work, and live temperately, might have health, comfort and freedom, such as is no where to be found in this country.

It is stated that the pride, extravagance and luxury of those settlers who have been prosperous in trade there, are highly reprehensible. Almost every family has a number of natives employed as menial servants; and even the emancipated slaves who have been sent there, and are entirely dependent, are too lazy to bring water, and employ natives to do it for them.

The "Liberia Herald" expresses great pleasure at the contemplated establishment of a new colony by the Colonization society of the state of Maryland, whose agent, Dr. James Hall, had already purchased Cape Palmas, and taken the primary steps of settlement. The cape is represented as a beautiful eminence, which projects a considerable distance into the sea. A town has been laid out, and native houses having been prepared, the emigrants were landed in a day after their arrival. Several individuals had cleared their lots and were successfully growing vegetables. Nearly all the emigrants from the United States had been attacked with the fever, but all except one recovered. A meeting house had been erected.

If the emigrants practice industry and economy there is no danger of their success.

The New York Colonization society have it in contemplation to purchase and make a settlement at Cape Mount. This location the "Herald" thinks very happily situated, and much better adapted to the purposes of internal and external trade than Cape Messurado.

The coffee tree is a native of the country, and grows spontaneously in the woods in the vicinity of Monrovia.

The spirit of improvement seems to be awakening amongst the colonists, and it is pleasant to find, amongst other evidences of the advance of the colony, proposals for building a dam across a stream, and a notice that houses were building and measures in progress to erect a saw mill, a light house and a Baptist church.

The February number of the Herald furnishes a list of 31 arrivals and departures during the preceding month, a strong proof of the wholesome condition of the commerce of the colony.

Governor Pinney had despatched two persons as commissioners on the part of the American Colonization society, to negotiate with the kings and head men for land on the Junk river, whereto to make a settlement. The country is represented as fertile.

The settlement was becoming popular with the native kings. Joe Harris, king on the Grand Bassa side of the St. John's river, had become clamorous in his solicitations for the Americans to come and locate themselves on his side of the river, promising to give them plenty of good land for their town and farms, and to make them as comfortable as possible. King Joe, in the early period of the settlement of the colony, had opposed it.

The agent, Mr. Pinney, speaks of a greatly increased attention to agriculture, and says that at Caldwell, double the quantity of land had been cleared this season as was the last.

**CENSUS OF LIBERIA IN THE SUMMER OF 1833.** [From the *New Haven Journal of Freedom*.]

Whole number of emigrants sent out from the founding of the colony, including the recaptured Africans 3,123

Actual population at the time of the census 2,816

Showing a total decrease of 307

Deduct for those temporarily absent, say 50

And for those who have returned, say 35 85

The loss is 222

The loss of life in the fourteen years which have elapsed since the first expedition sailed from New York, and made a temporary lodgement on the island of Sherbro, is 222 out of 3,123; that is, the excess of the number of deaths over the number of births in fourteen years, has been 222. To those who believe that the emigrants generally have been the most miserable and degraded of their color, worn out slaves, turned off to die "like old horses,"—to those who believe that rum runs down the streets of Monrovia at the rate of more than twice 1,400 barrels per annum, and that the greatest immorality and licentiousness prevail among the inhabitants—it would seem incredible that the decrease has been no greater. Such men will probably discredit the statement.

Virginia two centuries ago. The colonization of Virginia was commenced at Jamestown in May, 1607, by a company of 100 persons.

In four months the 100 dwindled to 50, and soon after to 38. In 1609 the colony had been increased, by successive reinforcements, to 500 souls.

Six months afterwards it had dwindled to 60.

In 1611 the population had increased to 200.

In 1623, when the number of settlers had become still greater, 347 men, women and children were destroyed by the Indians.

In 1624, to use the words of chief justice Marshall, "about £150,000 sterling had been expended in planting the colony, and more than 9,000 persons had been sent from Europe to people it; and yet at the end of seventeen years, the population was reduced to 1,500 persons."

#### DREADFUL SUFFERING OF EMIGRANTS.

The following letter is from the master of an English ship, at quarantine at Grosse Island, near Quebec, dated May 27th, addressed to a mercantile house in New York, and furnishes a melancholy detail of the cruel neglect and sufferings which the wretched emigrants are compelled to undergo, after reaching a country where they expected to find an alleviation instead of an increase of their woes:

"I arrived here on the 18th, at two o'clock in the morning, with three hundred passengers, forty of whom were sent to the hospital on the 18th and 19th, more or less affected with measles and typhus fever. We lost seven on the passage, viz: one man by a fall, and six children, from the want of proper attention being paid to them, their parents being sea sick. I landed the remainder of them on the 20th, got the vessel cleaned and fumigated on the 21st, and the passengers were sent on board on the 24th. These poor creatures have been on board ever since, with only eleven beds between 250.

The straw beds which they had were thrown overboard, and they are obliged to lie on the boards, without a covering, the greater part having nothing on the passage but their wearing apparel, which they are obliged to keep on to prevent the boards from cutting their hips. There are mothers and their children in this state. It is inconsistent with reason to expect them to remain healthy while they are in this state. There is no constitution able to bear such treatment in these piercing nights. There are fifty of my passengers in hospital at present, and the remainder must be soon there if something is not done for them. The people ought to be kept on shore until the vessel is liberated; for while there is such a number together, there will always be somebody complaining. Dr. Poole has reported 78 in hospital. There have been six deaths and a few bad cases, but the greater part of them were very slightly affected; in fact, there was nothing the matter with some of them.

I think it advisable to allow the vessel to proceed immediately with the passengers she has on board, as there have been but two cases of measles, since they have been re-embarked—or allowed to re-land them and then proceed, provided their passages be found them to Quebec. It is a sad thing to detain the vessel here such a length of time. Dr. Poole told me he expected I would be allowed to proceed last Sunday, but there is no likelihood of it. I stated our situation to the commandant, who said he could do no more than give me a little straw for them when he gets it. I had two letters for you, which I gave to the commandant on Wednesday to forward. He has also told me that I will have to victual the passengers, which is a great imposition. I remain your humble servant.

HENRY DEAVIS,  
Master of the barque *Mary, of Cork.*"

#### MORMONS IN MISSOURI.

Copy of a letter from Daniel Dunklin, governor of the state of Missouri, to col. J. Thornton, dated

City of Jefferson, June 6, 1834.

DEAR SIR: I was pleased at the receipt of your letter, concurred in by Messrs. Rees, Atchison and Doniphan, on the subject of the Mormon difficulties. I should be gratified indeed, if the parties could compromise on the terms you suggest, or, indeed, upon any other terms satisfactory to themselves. But I should travel out of the line of my strict duty, as chief executive officer of the government, were I to take upon myself the task of effecting a compromise between the parties. Had I not supposed it possible, yes, probable, that I should, as executive of the state, have to act, I should before now, have interfered individually, in the way you suggest, or in some other way, in order if possible, to effect a compromise. Uncommitted, as I am, to either party, I shall feel no embarrassment in doing my duty; though it may be done with the most extreme regret. My duty in the relation in which I now stand to the parties, is plain and straight forward. By an official interposition, I might embarrass my course, and urge a measure for the purpose of effecting a compromise, and should it fail, and in the end, should I find it my duty to act contrary to the advice I had given, it might be said, that I either advised wrong, or acted wrong; or that I was partial to one side or the other, in giving advice that I would not, as an officer, follow. A more clear, and indisputable right does not exist, than that of the Mormon people, who were expelled from their homes in Jackson county, to return and live on their lands, and if they cannot be persuaded as a matter of policy, to give up that right, or to qualify it, my course, as the chief executive officer of the state, is a plain one.—The constitution of the United States declares, "that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states." Then we cannot interdict any people who have a political franchise in the United States from emigrating to this state, nor from choosing what part of the state they will settle in, provided they do not trespass on the property or rights of others. Our state constitution declares that the people's "right to bear arms, in de-

fence of themselves, and of the state, cannot be questioned." Then it is their constitutional right to arm themselves. Indeed, our militia law makes it the duty of every man, not exempted by law, between the ages of 18 and 45, to arm himself with a musket, rifle, or some firelock, with a certain quantity of ammunition, &c. And again, our constitution says, "that all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences." I am fully persuaded that the eccentricity of the religious opinions and practices of the Mormons, is at the bottom of the outrage committed against them.

They have their right constitutionally guaranteed to them, and it is indefeasible, to believe and worship Jo Smith as a man, an angel, or even as the only true and living God, and to call their habitation Zion, the Holy Land, or even Heaven itself. Indeed, there is nothing so absurd or ridiculous, that they have not a right to adopt as their religion, so that in its exercise, they do not interfere with the rights of others.

It is not long since an impostor assumed the character of Jesus Christ, and attempted to minister as such; but I never heard of any combination to deprive him of his rights.

I consider it the duty of every good citizen of Jackson and the adjoining counties to exert themselves to effect a compromise of these difficulties, and were I assured that I would not have to act in my official capacity in the affair, I would visit the parties in person and exert myself to the utmost to settle it. My first advice would be to the Mormons, to sell out their lands in Jackson county, and to settle somewhere else, where they could live in peace, if they could get a fair price for them, and reasonable damages for injuries received. If this failed I would try the citizens and advise them to meet and rescind illegal resolves of last summer; and agree to conform to the laws in every particular, in respect to the Mormons. If both these failed, I would then advise the plan you have suggested, for each party to take separate territory and confine their members within their respective limits, with the exception of the public right of egress and regress upon the highway. If all these failed then the simple question of legal right would have to settle it. It is this last I am afraid I shall have to conform my action to in the end. And hence the necessity of keeping myself, in the best situation to do my duty impartially.

Rumor says that each party are preparing themselves with caution. That would be illegal. It is not necessary to self-defence, as guaranteed by the constitution. And as there are no artillery companies organized in this state, nor field pieces provided by the public, any preparations of that kind will be considered as without right; and, in the present state of things, would be understood to be with a criminal intent. I am told that the people of Jackson county expect assistance from the adjoining counties, to oppose the Mormons in taking or keeping possession of their lands. I should regret it extremely if any should be so imprudent as to do so; it would give a different aspect to the affair.

The citizens of Jackson county have a right to arm themselves and parade for military duty in their own county, independent of the commander-in-chief; but if citizens march there in arms from other counties, without order from the commander-in-chief, or some one authorised by him, it would produce a very different state of things. Indeed, the Mormons have no right to march to Jackson county in arms, unless by the order or permission of the commander-in-chief. Men must not "tevy war" in taking possession of their rights, any more than others should in opposing them in taking possession.

As you have manifested a deep interest in a peaceable compromise of this important affair, I presume you will not be unwilling to be placed in a situation, in which perhaps, you can be more serviceable to these parties. I have therefore taken the liberty of appointing you an aid to the commander-in-chief, and hope it will be agreeable to you to accept. In this situation you can give your propositions all the influence they would have, were they to emanate from the executive, without committing yourself or the commander-in-chief in the event of a failure.

I should be glad you, or some of the gentlemen who joined you in your communication, would keep a close correspondence with these parties, and by each mail write to me.

The character of the state has been injured in consequence of this unfortunate affair; and I sincerely hope it may not be disgraced by it in the end. With high respect, your obt' servant,

DANIEL DUNKLIN.

#### LAFAYETTE.

Reply of George W. Lafayette to the American committee.  
Paris, May 23, 1834.

GENTLEMEN: I have received with feelings of the most respectful gratitude the letter which you did me the honor to address to me the moment after my family and myself had lost the venerable and tenderly loved parent whom heaven had given us. After having filled with satisfaction and with glory the old age of him who had had the happiness of consecrating to them his earliest years, the citizens of the United States are going also to weep with us over his grave; and these tears will be for his memory a precious reward for his fidelity to the convictions he brought back with him from the classic soil of liberty. These tears will be eagerly caught by his children and by his grand children; they will give them courage to sustain their misfortune and struggle to march with a firm and assured step in the path which he has always followed who knew how to merit them.



Gentlemen, your sympathy mitigates our affliction; it sheds a salutary balm in our hearts, now broken with grief. Receive the homage of our respectful gratitude.

GEORGE W. LAFAYETTE.

Letter written by George W. Lafayette to Mr. Barton, charge d'affairs of the United States.

Paris, May 21, 1834.

SIR: He who had obtained from Franklin the authority of first drawing his sword in defence of liberty under the American standard in 1776, the adopted son of Washington, the commander of the American light infantry at Yorktown; he, whom in 1824 and 1825 an entire nation honored with a triumph without example in history, my father, general Lafayette, is no more! To-morrow, his son, his grandsons, those to whom alliances, blessed by himself, have given the right of being his children, are to conduct him to his last abode.

The French people loved him, and the funeral car which will transport him to the spot where already reposes the partner of his life, will be, we confidently expect, surrounded by a numerous crowd of good citizens.

Permit me, sir, to ask of you, in the name of my family, of you, the representative of our second country, to participate in our griefs, in the name of that country of which we are in a manner children. One of the corners of the pall which will cover my father is destined for you, sir; and your fellow citizens assembled around you will find, I venture to hope, in the price we attach to their presence on this mournful occasion, the proof of our gratitude for the veneration for the memory of my father, of which this morning they have been so good as to make me the depository.

Be pleased to accept, sir, the assurance of my most distinguished consideration.

GEORGE W. LAFAYETTE.

Reply of Mr. Barton to George W. Lafayette.

Legation of the United States, Paris, May 23, 1834.

SIR: It is with heartfelt grief that I have received the news of the death of your illustrious father general Lafayette. My task would be less difficult had I merely to express my own feelings, but other duties now devolve upon me, which make me sensible how incompetent I am to perform it. I would speak to you, sir, of the gratitude and veneration of a nation—of the grief about to overwhelm a whole people, but I can only request you to receive these assurances from me until my country can renew them in a more solemn manner.

You honor me, sir, by selecting me, as representing my country, for one of the pall-bearers. I beg you to accept, with my personal thanks, those which I tender in its name.

I sincerely regret at this moment, the absence of Mr. Livingston. His age, his character, his official situation and above all, the ties of friendship which united him for so many years to one whom we all loved, and whose loss we all deplore, would have rendered him far more worthy than myself of the honor you intend us. I shall fulfil the duty assigned me, doubtless with grief, but at the same time with feelings of pride.

That my government may be officially informed of the honor conferred upon us, I shall immediately transmit to Washington copies of your letter and my answer. Accept once more sir, my renewed acknowledgments, and be kind enough to convey the expression of my feelings to your family.

I have the honor to be, with the highest regard, your obedient humble servant,

THOMAS P. BARTON.

BISHOP WHITE.

The following beautiful and touching notice of the patriarch of the Episcopal church in this country, will be read with pleasure by every one who knows the venerable bishop. It is part of the address of bishop Onderdonk—

"I have gone through with the several topics relating to ecclesiastical business that have occurred to me. One however of a different sort remains. It is the continued health and activity uncommon at his age, of our venerable father in God—the centre of our affections, and those of our whole church. No individual perhaps on earth is so personally connected with so many circumstances of deep interest. For nearly half a century, he has been the living link between two churches, the church of England and the American Episcopal church. For nearly three quarters of a century, he has been the living link between the successive generations of men in active life, who, at the beginning of that period, were prominent in the affairs of our church, or have since become such. All our bishops but one, since the succession was obtained, and all our present bishops, received their commission at his hands. He has been the senior bishop of our church more than thirty eight years: and he sits among his Episcopal compeers, as did St. John, surrounded by younger brethren only in the Apostolic office, all the other first incumbents, and many others later in their consecration, having been removed from their earthly labors. He was the friend and pastor of Washington, and a chaplain to congress at an early period. Once, he was the only Episcopal clergyman in Pennsylvania: now about seven by acknowledgment him their diocesan. His personal character is unstained, his official character admired and venerated. Strangers ask to see him—and young children are brought into his presence, that they may be able to say, at future periods, that they have been taken by the hand by bishop White. I am sure that the hearts of all of you my brethren, unite with mine in the prayer, that

God will still 'remember for good' his aged and faithful servant."

[Philadelphia paper of June 5.

HOSPITAL MONEY.

It is well known that every sailor in this country employed in the merchant's service, from the captain to the cabin boy, is compelled by law to pay twenty cents a month while attached to a vessel, which sum is to be deducted from the wages due, and paid over to the collector of the customs before such vessel is allowed to enter in any port. The sums thus received constitute what is called "the marine hospital fund," and is supposed to be appropriated exclusively to furnishing sailors with a retreat when sick, and supplying them with medicines, medical advice, &c.

The last number of the *New York Sailor's Magazine* contains a table, condensed from a document transmitted to congress during the present [late] session, which shows the number of sick seamen received into the different hospitals in the United States, with the amount paid for board, nursing, &c. and also the amount of hospital money collected.

It appears from this table that the number of men admitted into the hospital in this district, for the year 1832, the last year in which the returns were made up, was 571, the total expenditures were \$8,517, and the amount of hospital money received was \$8,280 44. In the city of New York, the number of seamen admitted was 950, total expenses, \$16,098 41—amount of hospital money collected \$14,797 81. In Philadelphia, the number of seamen admitted was 397—total expenses \$7,554 36—of which \$1,355 87 were paid for clothing! (The whole amount charged in all the other districts is \$104 06) the amount of hospital money collected \$3,649 87. In New Orleans the number admitted is 474, expenses, \$8,718—and amount received \$3,655 52. The following is the grand total of expenses, seamen admitted, and amount of hospital money—in the different parts of the United States during the year 1832:

Number of men admitted to the several hospitals in 1832 was	4,281.
Amount paid for board and nursing.....	\$33,397 57
Amount charged on contract, but no items given....	3,530 79
Amount paid for medical attendance.....	6,038 23
Amount paid for medicine.....	3,757 29
Amount paid for travelling expenses.....	450 03
Amount paid for clothing.....	1,489 93
Amount paid for the funeral expenses of 307 men....	1,115 65
Amount paid for commissions to agents of one per cent.	702 55

Making the total expenditure for the year amount to 70,482 09  
Hospital money collected in the same time..... 58,942 56

Leaving a balance for that year in favor of the government, and against the hospital fund, of..... \$11,539 53

In addition to the pittance thus wrung from the hard-working sailor by the government of the United States, it may be well to state, that the state of New York passed an act ten or dozen years ago, laying a tax on sailors, who should enter that port from a foreign voyage, of one dollar each—and the revenue which has thus been collected in a manner evidently unjust and unconstitutional, has amounted to an enormous sum. It was originally intended to appropriate the amount thus collected to the purpose of defraying the expenses of erecting the elegant marine hospital on Staten Island. It has since been proposed to apply it to other purposes. We should be glad to learn from the *New York papers* whether this tax upon sailors is still continued, and if it is, to what purpose the money thus obtained is applied. [N. Y. Mer. Journal.

MARINE CORPS.

Head quarters of the marine corps,

Adjutant and inspector's office, Washington, 9th July, 1834.

The following promotions have been made in the corps of marines by the president of the United States, by and with the advice and consent of the senate:

Lieut. col. commandant Archibald Henderson, colonel by brevet, 17th October, 1830.

Captain Charles R. Broom, lieut. col. by brevet, 7th March, 1834.

1st lieut. George W. Walker, captain by brevet, 3d March, 1831.

1st lieut. Charles Grymes, captain by brevet, 20th, July, 1831.

1st lieut. Ward Marston, captain by brevet, 30th October, 1831.

1st lieut. Charles C. Tupper, captain by brevet, 21st January, 1832.

1st lieut. Augustus A. Nicholson, captain by brevet, 27th May, 1832.

1st lieut. James McCawley, captain by brevet, 6th October, 1832.

1st lieut. Benjamin Macomber, captain by brevet, 2d April, 1833.

1st lieut. Abraham N. Brevoort, captain by brevet, 26th September, 1833.

By order,

PARKE G. HOWLE, adj. and insp.

EXAMINATION OF MIDSHIPMEN.

The board for the examination of midshipmen, which assembled at Baltimore in May, adjourned on the 12th June, having examined all who presented themselves.

The following is a list of those found qualified for promotion, arranged in the order of merit, to which are added the names of the states to which they belong. Warrants having been granted, bearing the date 14th June, 1834.

[Army and Navy Chronicle.

1826 Chas. W. Pickering, N. H.	32 Augustus L. Case, N. Y.
1827 John de Camp, Fla.	33 Roger Perry, Md.
W. J. H. Robertson, D. C.	34 Wm. S. Ringgold, D. C.
1828.	35 John T. Williams, N. C.
1 Thornton A. Jenkins, Va.	36 Joseph W. Revere, N. Y.
2 Joseph C. Walsh, Pa.	37 Alex <sup>r</sup> M. Pennoek, Tenn.
3 Charles H. Cotton, Vt.	38 B. S. B. Darlington, Pa.
4 Augustine W. Provost, Pa.	39 George F. Emmons, Vt.
5 Franklin Clinton, N. Y.	40 Edward Middleton, S. C.
6 James K. Bowie, Md.	41 Montgomery Lewis, Pa.
7 John Rodgers, jr. D. C.	42 George M. White, D. C.
8 John B. Marchand, Geo.	43 C. E. Griffin, N. Y.
9 Wm. R. Taylor, Mass.	44 William S. Swann, Va.
10 H. J. Harstead, S. C.	45 Thomas T. Huter, Va.
11 Lloyd J. Bryan, D. C.	46 Albert A. Holcomb, Ky.
12 Benjamin F. Sands, Ky.	47 Gustavus H. Scott, Va.
13 Henry French, Mass.	48 Richard Forrest, D. C.
14 William Leigh, Va.	49 Levin Handy, Md.
15 Samuel Larkin, jr. N. H.	50 David McDougal, Ohio.
16 William H. Burges, Va.	51 Charles F. McIntosh, Va.
17 Henry S. Stellwagon, Pa.	52 James W. Cook, N. C.
18 Jas. L. Henderson, D. C.	53 C. F. M. Spottswood, Va.
19 Daniel B. Ridgley, Ky.	54 Henry C. Flagg, S. C.
20 John L. Ring, S. C.	55 Joseph Moorehead, Ohio.
21 Henry J. Paul, N. C.	56 Daniel F. Dulaney, Va.
22 Robert E. Hoce, Va.	57 George L. Alden, D. C.
23 James M. Lockert, Tenn.	58 William H. Ball, D. C.
24 William T. Muse, N. C.	59 Elie W. Stull, D. C.
25 William H. Brown, Va.	60 John F. Mercer, Conn.
26 Charles Stedman, S. C.	61 Stephen W. Wilkinson, Tenn.
27 Wm. L. Herndon, Va.	62 James E. Brown, Va.
28 John C. Graham, D. C.	63 Hendrick Norvell, Ky.
29 John P. Parker, N. H.	64 Charles C. Barton, Pa.
30 John F. Borden, Ohio.	65 J. J. B. Walbach, N. H.
31 James Alden, jr. Me.	66 Joseph R. Brown, Pa.

MONEY AND CURRENCY.

FROM THE NATIONAL GAZETTE.

MR. EDITOR: I was one of the audience who attended the lecture on political economy, delivered at the Franklin institute on Thursday evening last, by Mr. W. Reid, and was so much pleased with the soundness of the doctrines advanced in it, that I very much wish it were published.

The subject of his lecture was, "the principles of money and currency," and as incidental to that important branch of political science, he entered at large into an examination of the question, so hastily disposed of by congress on a recent occasion, of the relative value of gold and silver. He showed, in the first place the absurdity of a nation having two legal tenders; and in the second place, proved, that the proportion adopted in the recent act of congress, must have the effect, as soon as the exchanges with Europe happen to be above the real par of ounce of gold for ounce of gold, of driving all the silver out of the country. His reasoning was this—

By the new bill, an eagle is to contain 232 grains of pure gold, equal to 23.2-10 grains per dollar.

A British sovereign, which is the true pound sterling, contains 113 grains and a very small fraction, viz. 18-11240 of a grain of pure gold, which is equal to the quantity of gold contained in \$4 87 and a fraction of 6-100 of a cent.

The true par of exchange then on England is \$4 87, and the small fraction above stated, and as soon as exchange shall rise above that par, the silver will begin to be exported, and will continue to do so, so long as dollars shall be worth in the London market 4s. 10d. per ounce, which is equal to 4s. 2d. and 1-40 of a farthing for each dollar.

For, estimating dollars at 4s. 2d. each, a debt of one pound sterling can be paid in England with \$4 80, and as the expenses of exporting dollars do not exceed one per cent. for freight and insurance, and as the dollars when they arrive in London can be converted into currency in a moment, it will be cheaper to export dollars than purchase a bill at \$4 87 per pound sterling, payable as bills usually run, at sixty days sight.

The difference between \$4 80 and 4 87, is very near  $\frac{1}{2}$  per cent. The interest on a 60 day bill, with the risk of solvency, is equal to near 1 per cent. more. So that as the expenses of export are only one per cent. a profit on the transaction would be left of near one and a half per cent. which is quite enough to cause that mode of remittance to have a preference, until the country gets as thoroughly drained of silver dollars, as it has heretofore been of gold eagles.

The price of dollars in London on the 20th of May, the latest date I have seen, was 4s. 9 $\frac{1}{2}$ d. If it continues at that price, the profit would be diminished, but even at 4s. 9 $\frac{1}{2}$ d. it would be profitable to export silver, inasmuch as at that price \$4 85 would pay a debt in London of one pound.

It is known to all our merchants that in the ordinary course of our trade with England, the tendency of exchange is to be against us, and that the great bulk of the silver we import from Mexico and South America, finds its way to Europe, which would not be the case, unless it were more profitable to send silver than to purchase bills of exchange. If, then, silver found its way out of the country, when it had no preference over gold,

how much more certainly will it go when it holds out the reward of a certain profit, which gold cannot yield?

The first effect of the new gold bill will be to stop the importation of silver from Europe. If any more of the precious metals be imported, gold will have the preference; and for the simple reason that a British sovereign, which contains as much gold as will be worth at our mint \$4 87, can be purchased with the same pound sterling that will command only \$4 80 in silver dollars, if the price of silver be 4s. 10d. per oz. or \$4 85 if the price be 4s. 9 $\frac{1}{2}$ d. It will require time, however, to set the machinery in motion which will be necessary to complete so vast a work as that of substituting a gold for a silver currency; but that it will take place, if the relative proportions between gold and silver that have existed in Europe for the last ten years, and upon which alone the advocates of the bill in question founded their reasons, should continue to be maintained, is just as certain as that merchants will pursue their own interest.

In illustrating the fashionable doctrine of having two legal tenders, or what people call measures of value, he referred to the case of the British king, who, in fixing measures of length, took the length of his own royal arm as that for the ell. Now, suppose, said the lecturer, the king had at the same time declared that the length of the queen's arm should also have been the standard ell, any body would at once have seen the absurdity of the proposition. But, in point of fact, the matter is more absurd still than Mr. Reid made it. It is just as absurd as it would be to say, that because lead in the market is worth today \$3 per cwt. and iron \$3 per cwt. one pound of lead shall always be the equivalent of one pound of iron.

A CITIZEN.

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AFFAIRS OF THE BANK.

From the Richmond Whig of July 4.

THE FINANCE COMMITTEE OF THE SENATE, AND THE BANK OF THE UNITED STATES.

We have seen some erroneous statements as to the time when, and the place where, the finance committee of the senate (consisting, since Mr. Wilkins' appointment to Russia, of Messrs. Webster, Tyler, Mangum and Ewing), would commence their investigations, as well as many false inductions and slanderous insinuations, as to the intentions of the committee. We are enabled to speak with accuracy on these several points.

The committee of finance were charged with the following resolutions at different periods of the session:

*In senate of the United States, February 4th, 1834.*

*Resolved,* That the committee on finance be instructed to inquire into the present condition of the currency of the United States, and the effects of the removal of the deposits on the same.

*In senate of the United States, May 5th, 1834.*

*Resolved,* That the committee on finance be directed to inquire whether any, and which, of the banks selected by the present secretary of the treasury for the deposit of the public moneys, have stopped payment—the amount of public money deposited in them at the time of their suspension, if any—that they inquire also into the circumstances attending their selection, and the security taken by the secretary, and whether the public moneys are safe in the places where they are now deposited—and that they have leave to send for persons and papers:

*In senate of the United States, June 30th, 1834.*

*Resolved,* That the committee on finance, have leave to sit in the recess, on the subjects with which they were charged by the resolutions of February 4th, and May 5th; and that said committee be further instructed to inquire whether the bank of the United States has violated its charter; whether any moneys of the United States remaining in said bank are safe; what has been the conduct of the bank since 1832, in regard to the extension and curtailment of its loans and discounts, and to its dealings in internal exchanges; and what has been its general conduct and management since that period.

The last resolution and the one preceding it, are those under which the committee of finance will be engaged in the recess of congress, and as they comprehend many inquiries of the deepest public interest, the results of its labors will be expected with curiosity and solicitude.

In reference to the investigation of the bank of the United States under the resolution of 30th June, a preliminary correspondence between the committee and Mr. Biddle has been put into our hands for inspection by a member of the committee, unaccompanied by leave to publish it, but also by any prohibition; and as it presents the line of examination proposed by the committee, and shows the spirit in which they are resolved to pursue it, as well as that of the directory in regard to it, we have thought it right from public considerations, as well as in justice to the parties to the correspondence, to lay it before the public.

LETTER TO THE BANK.

Philadelphia, July 7th, 1834.

To the president and directors of the bank of the U. States.

GENTLEMEN: We enclose you a copy of a resolution passed by the senate of the United States, on the 30th June, by which, you will perceive, it is made our duty to execute certain inquiries in relation to the bank of the United States. These inquiries are—

1. Whether the bank has violated its charter?
2. Whether the moneys of the United States, now remaining in the bank, are safe?

3. What has been the conduct of the bank since 1832, in regard to the successive extensions and curtailments of its loans and discounts, and its dealings in domestic or internal bills of exchange?

4. And what has been its general conduct and management since that period?

We shall enter upon these inquiries at some period before the next meeting of congress, and shall endeavor to obtain the most full and ample information upon all and each of the points enumerated in the instructions of the senate.

To this end, it will be necessary that the books of the bank should be freely subject to our inspection; and that we should be furnished with all such accounts, statements, abstracts and exhibits, as we may deem useful and proper. The time of commencing the examination will be hereafter communicated to you. But, in order to facilitate our labor, and enable us to go through it with more despatch, when we shall again meet, we have now to request that the following statements or tables be made out and forwarded, as soon as convenient, to the chairman of the committee:

I. A quarterly statement of the affairs of the bank and its offices respectively, for the several quarters of the years 1832 and 1833, and the three first quarters of 1834. This statement to contain—

1. Amount of notes discounted.
2. Domestic bills of exchange purchased and discounted.
3. Foreign bills of exchange purchased and discounted.
4. Balance due from other banks, including their notes.
5. Balance due to other banks.
6. Amount of specie: specifying how much in gold and how much in silver; how much coin and how much bullion.
7. Amount of public deposits.
8. Amount of private deposits.

II. Statements of all the dividends of the bank, with the amount of any existing surplus fund or contingent fund.

III. Statement of the real estate and banking houses held by the bank, with an estimate of their value.

IV. The debts due the bank, with an estimate, showing what part is regarded as bad or doubtful, and what funds, if any, are relied on to meet any deficiency arising from such causes.

V. Copies of all the by-laws and rules of proceeding adopted by the directors.

VI. Statement of the rates of exchange on domestic bills, for the several quarters before mentioned, between the principal cities in the United States, and tables of the rates of such exchanges, yearly, since 1816.

*Signed by the committee.*

THE REPLY.

*Bank of the United States, July 8, 1834.*

GENTLEMEN: I have had the honor of receiving your letter of the 7th instant, which was this morning submitted to the board of directors.

They have instructed me to inform you in reply, that they will very promptly and cheerfully give every facility within their power to the investigation you propose. Having not the least motive nor wish to withhold the most complete information of all their proceedings, but, on the contrary, being desirous of giving to them every publicity consistent with the rights and interests of other parties, they will freely submit all their books to the inspection of the committee, and furnish every assistance which may be required. They take the liberty of suggesting, that the private accounts of individuals with this bank, as with all similar institutions, are regarded as confidential, and feel full confidence that the committee will, in no case, make public the state of such accounts, unless to do so becomes necessary by reason of some imputed misconduct or infraction of the charter. They further suggest that, if in the progress of this examination, the committee see reason to suppose that any violation of the charter of the bank has been committed, the committee will deem it a matter of common right and justice, that the nature of the alleged violation should be suggested to the board of directors, in order that they may lay before the committee all the facts and explanations respecting such alleged violation.

The statements requested by the committee will be immediately prepared and forwarded to the chairman; and whenever it shall be the pleasure of the committee to proceed, the board of directors will be ready and willing to render every aid in the most unlimited investigation of the concerns of the bank. I have the honor to be, very respectfully,

N. BIDDLE, president.

Hon. Daniel Webster, John Tyler, &c. committee.

[The "Whig" proceeds to say, that the inquiry will be resumed early in the next month, and commenced at Boston, and gives us to understand that it will be a thorough one—and also that the state deposit banks will be carefully looked into.]

COMMERCE AND NAVIGATION OF THE U. STATES.

Until it may be convenient to publish our general abstract of the contents of the document from which the following extracts are taken, the matter annexed will answer many interesting purposes of reference.

FROM THE TREASURY REPORT.

Summary statement of the value of the exports of the growth, produce and manufacture of the United States during the year commencing on the 1st day of October, 1833, and ending on the 30th day of September, 1833.

	THE SEA.	Dollars.	Dollars.	Dollars.
Fisheries—				
Dried or cod fisheries			712,317	
Pickled fish or river fisheries, her- ring, shad, salmon, mackerel			277,973	
Whale and other fish oil			924,810	
Spermaceti oil			42,589	
Whalebone			185,329	
Spermaceti candles			259,451	
				2,402,469
	THE FOREST.			
Skins and furs			841,933	
Ginseng			183,194	
Product of wood—				
Staves, singles, boards, hewn tim- ber			1,969,191	
Other lumber			2,499,036	
Masts and spars			32,625	
Oak bark and other die			93,609	
All manufactures of wood			318,641	
Naval stores, tar, pitch, rosin and turpentine			483,712	
Ashes, pot and pearl			814,398	
				3,961,212
				4,986,330
	AGRICULTURE.			
Product of animals—				
Beef, tallow, hides, horned cattle		958,076		
Butter and cheese		258,452		
Pork, (pickled) bacon, lard, live hogs		2,151,558		
Horses and mules		167,330		
Sheep		21,464		
				3,556,880
Vegetable food—				
Wheat		29,592		
Flour		5,613,010		
Indian corn		337,505		
Indian meal		534,309		
Rye meal		140,017		
Rye, oats, and other small grain and pulse		102,568		
Biscuit or shipbread		252,555		
Potatoes		52,052		
Apples		33,262		
Rice		2,744,418		
Indigo		180		
				9,839,468
				13,396,248
				5,755,968
				36,191,165
Tobacco				
Cotton				
All other agricultural products—				
Flaxseed		238,300		
Hops		92,963		
Brown sugar		7,635		
				328,898
	MANUFACTURES.			
Soap and tallow candles		673,076		
Leather, boots and shoes		213,510		
Household furniture		290,635		
Couches and other carriages		28,830		
Hats		243,271		
Saddlery		33,051		
Wax		178,748		
Spirits from grain, beer, ale and porter		144,669		
Snuff and tobacco		288,973		
Lead		5,685		
Lined oil and spirits of turpentine		30,293		
Cordage		23,140		
Iron, pig, bar and nails		72,177		
Castings		48,009		
Manufactures of		113,626		
Spirits from molasses		28,463		
Sugar, refined		40,327		
Chocolate		2,148		
Gunpowder		139,164		
Copper and brass		203,880		
Medicinal drugs		136,355		
				2,837,430
Cotton, piece goods—				
Printed or colored		421,721		
White		1,802,116		
Naukeens		2,054		
Twist, yarn and thread		104,335		
All other manufactures of		202,291		
				2,532,517
Flax and hemp—				
Cloth and thread		5,964		
Bags and all manufactures of		18,985		
Wearing apparel		43,943		
Combs and buttons		142,970		
Brushes		3,157		
Umbrellas and parasols		21,380		
Leather and morocco skins not sold per pound		38,267		
Printing presses and type		16,539		
Fire engines and apparatus		9,791		
Musical instruments		5,400		
Books and maps		46,946		

Paper and other stationary	46,484
Paints and varnish	22,552
Vinegar	3,347
Earthen and stone ware	12,159
Manufactures of glass	93,494
tin	2,928
pewter and lead	2,010
marble and stone	5,087
gold and silver and gold leaf	381
Gold and silver coin	366,842
Artificial flowers and jewelry	10,433
Molasses	2,279
Trunks	7,608
Brick and lime	3,866
Domestic salt	18,211
	3,485,600

Articles not enumerated—	
Manufactured	600,892
Other	332,649
	933,541
	70,317,698

Treasury department, register's office, Feb. 14, 1834.  
T. L. SMITH, register.

Total value of the exports of the U. States in 1833—	
Domestic produce	\$70,317,698
Foreign	19,822,735
	\$90,140,433

We have collected the following comparative values of articles exported for the last three years.

	1831.	1832.	1833.
Of the sea	1,889,472	2,558,538	2,402,469
— the forest	4,263,477	4,347,794	4,986,339
— animals	2,828,936	3,179,522	3,556,880
— vegetable food	13,997,472	8,532,494	9,839,968
— tobacco	4,894,388	5,999,769	5,775,968
— cotton	25,289,492	31,724,682	36,191,105
— other agricul. products	253,145	159,716	328,898
— manufactures	2,969,435	2,730,833	2,837,430
— cotton manufactures	1,126,313	1,329,574	1,522,517
— other	693,464	613,149	586,241
— gold and silver coin	2,058,474	1,410,941	366,842
— all other articles	1,109,992	830,448	933,541

Total domestic	61,277,057	63,137,470	70,317,698
— foreign	20,033,526	24,039,473	19,822,735
	81,310,583	87,176,943	90,140,433

Quantities of certain articles.

	1831.	1832.	1833.
Flour	bbls. 1,806,529	864,919	955,768
Cotton, S. I.	lbs. 8,311,762	8,743,373	11,142,987
— other	268,668,122	313,471,749	313,555,917
Tobacco	hhd's. 86,718	106,806	83,153
Rice	tierces 116,517	120,327	144,163

IMPORTATIONS OF THE UNITED STATES.

	1831.	1832.	1833.
Aggregate values	103,191,124	101,029,266	108,118,311

It will be seen that the values given to the importations always exceed those allowed to the exportations—but the difference is not, necessarily, a balance against the United States, for it may, or should, represent profits earned in freights, or the otherwise increased money-value of our articles exported and sold in foreign countries; and the fact is, that, though the three years shew a seeming balance against us of more than 50 millions, we prospered, much because of the operations of the "AMERICAN SYSTEM," as applied to agriculture, manufactures and commerce, including navigation. But, in other circumstances, such balances may indicate that the current of trade is against us. These tables, though the most useful of all the public documents that are annually issued, however, are chiefly valuable on account of the comparisons that they afford. They do not, for they CANNOT, settle the "balance of trade"—but shew the course of trade.

Navigation.

	1831.	1832.	1833.
American tonnage entered	923,952	949,632	1,111,441
" departed	972,504	974,865	1,142,160
Foreign tonnage entered	281,948	393,038	496,705
" departed	271,994	387,505	497,039

American tonnage.

	1830.	1831.	1832.
Registered	576,475	620,451	686,989
Enrolled and licensed	615,301	647,394	752,460

Total 1,191,776 1,267,846 1,439,450  
A comparative view of the registered, enrolled and licensed tonnage of the United States from 1815 to 1833, inclusive.

Years.	Registered tonnage.	Enrolled & licensed tonnage.	Total tonnage.
	Tons and 95ths.	Tons and 95ths.	Tons and 95ths.
1815	854,294 74	513,833 04	1,368,127 78
1816	800,759 63	571,458 85	1,372,218 53
1817	809,724 70	590,186 66	1,399,911 41
1818	696,088 64	609,095 51	1,225,184 20

1819	612,930 44	647,821 17	1,260,751 61
1820	619,047 53	661,118 66	1,280,166 24
1821	619,096 40	679,062 30	1,298,958 70
1822	622,150 41	696,548 71	1,324,699 17
1823	639,920 76	696,644 87	1,336,565 63
1824	669,972 60	719,190 37	1,389,163 02
1825	700,787 08	722,323 69	1,423,111 77
1826	737,978 15	796,212 68	1,534,190 83
1827	747,170 44	873,437 34	1,620,607 78
1828	812,619 37	928,772 50	1,741,391 87
1829	650,142 88	610,654 88	1,260,977 81
1830	576,475 33	615,301 10	1,191,776 43
1831	620,451 92	647,394 32	1,267,846 29
1832	686,989 77	752,460 39	1,439,450 21

Treasury department, register's office, 17th Jan. 1834.  
T. L. SMITH, register.

The apparent reduction of the amount of our tonnage, in some of the years given, is chiefly caused by corrections of the returns, on account of vessels lost, decayed or sold, &c. in the intervals between such corrections. As, for an example, the seeming amount of our tonnage rose from 1818, the period of one correction, to 1828, when the aggregate was given at 1,741,391 tons; but in 1829, at only 1,260,977 tons. The difference had been ascertained, in 1829, as being lost, &c. in the preceding eleven years, during which the new vessels built had been added.

QUANTITIES OR VALUES OF CERTAIN GOODS IMPORTED.

	1831.	1832.	1833.
Rags of any kind of cloth	\$276,617	466,387	411,785
Furs of all kinds	417,038	335,577	233,329
Hides and skins raw	3,057,543	6,680,128	3,588,819
Plaister of Paris	119,444	104,745	205,698
Copper in pigs and bars sheathing, &c.	530,682	752,937	575,103
Bullion—gold	166,191	102,021	48,267
silver	686,283	736,711	297,840
Specie—gold	765,838	614,665	563,585
silver	5,687,633	4,454,107	6,160,676

Manufactures of wool.

Not exceeding 33 $\frac{1}{2}$ the sq. yd.	695,666	503,193	139,829
Exceeding 50 " "	1,317,645	944,631	
100 " "	2,405,770	2,262,193	
200 " "	2,303,511	1,804,701	6,128,194
400 " "	85,998	78,006	
400 and upwards	8,518	12,310	
Blankets	1,180,478	602,796	1,165,260
Hosiery, gloves, &c.	235,856	260,563	463,348
Bombazines	461,898	327,623	
Worsted stuff goods	3,392,397	2,615,124	4,281,309
Carpets and carpeting	421,099	557,775	319,592
All other manufactures	490,651	351,132	510,539

Cotton, &c.

Printed or colored	10,046,500	6,355,475	5,181,647
White	4,285,175	2,258,672	1,181,512
Hosiery, gloves, &c.	887,957	1,035,513	622,369
All other	870,592	749,993	673,921
Silk from India, all kinds	1,857,005	2,696,332	1,609,420
Other places, all kinds	9,047,388	6,982,234	7,564,779
Lace, thread, silk, &c.	1,374,533	816,413	1,226,059
Linens, checks, &c.	3,790,111	4,073,164	3,132,557
Tickenburgs, sheetings, &c.	988,153	796,461	1,017,031
Hats, caps and bonnets	326,049	193,591	189,746

Manufactures of iron not specified	3,735,010	3,894,298	2,831,715
Glass not subject to specific duties	235,909	367,031	333,882
China or porcelain	108,169	166,478	148,851
Earthen and stone ware	1,516,435	1,857,542	1,669,336
Brass wares	630,687	789,548	370,764
Leather, including saddles, bridles, &c.	811,251	649,418	828,297
Tin, in plates	589,417	525,417	86,855
Sail duck	sq. yds. 1,674,240	2,703,628	1,267,940
Cotton bagging	207,906	303,849	1,421,185
Wines	gals. 3,681,062	5,845,556	3,971,940
Foreign spirits	2,491,523	2,810,140	2,954,988
Molasses	" 17,085,878	15,380,553	15,693,050
Beer, ale and porter	" 61,759	71,343	88,244
Olive oil in casks	" 234,647	91,827	182,737
Teas	lbs. 5,182,867	9,906,606	14,639,822
Coffee	" 81,757,386	91,722,329	99,955,020
Cocoa	" 2,839,445	1,622,366	3,289,064
Sugar, brown	" 98,576,928	60,117,717	85,689,044
white	" 10,437,726	6,334,571	11,999,088
Indigo	" 803,252	1,114,827	" 1,140,454
Cotton	" 345,459	442,688	471,748
Gunpowder	" 72,239	33,032	9,470
White and red lead	" 111,178	557,781	625,069
Sugar of lead	" 147,223	333,563	123,039
Lead, bar, sheet & pigs	" 2,108,165	5,333,588	2,282,068
Cordage and cables	" 790,232	2,536,430	3,161,247
Twine, &c.	" 379,716	452,850	565,029
Muskets and rifles	no. 1,097	4,422	11,201
Iron and steel wire	lbs. 608,779	662,995	519,575
Nails and spikes	" 890,747	897,167	794,941

\*There was in this year, in addition, \$327,632 worth of indigo in amount imported.

Cables & chains, or parts	lbs. 1,004,540	2,454,360	4,216,261
Castings	" 1,174,510	2,999,039	6,080,186
Sheet and hoop	" 5,672,779	6,391,578	7,505,246
Pig iron	cwt. 138,967	203,025	186,601
Bar and bolt rolled	" 344,918	427,745	500,566
hammered	lbs. 52,232,192	85,456,164	cwt. 722,482
Steel	cwt. 34,203	54,929	42,629
Hemp	" 51,909	150,739	94,026
Wool	lbs. 5,622,960	4,042,638	*95,205
Salt	bush. 4,182,340	5,041,522	6,822,672
Coal	" 1,022,245	2,043,389	2,568,102
Paper of all sorts	lbs. 1,370,033	805,922	319,104
Glass ware not specified	" 18,334	24,221	52,245
Plain and other glass	" 749,485	1,060,291	\$210,227
Glass wire—other	" 749,485	1,060,291	\$210,227
Glass, phials, bottles, de-			
milsina	gross 76,452	85,730	81,977
Window glass	100 sq. feet 4,605	4,904	8,539
Shoes, boots, &c.	pairs 19,091	30,125	44,877

Note.—From the 4th of March, 1833, the coffee, teas and cocoa imported were free of duty—and the duty on sail duck and indigo, after the same time, were chargeable on the value instead of quantity.

The importations for the year, of these articles, stood thus:			
Teas paying specific duty	lbs. 2,051,182		
free of duty		12,588,640	
Total		14,639,822	
Coffee paying specific duty	33,326,120		
free of duty		66,623,900	
Total		99,950,020	
Cocoa paying a specific duty	955,260		
free of duty		2,333,804	
Total		3,289,064	

There were 1,267,040 sq. yds. of sail duck imported subject to duty on the square yard, and \$527,632 in amount, chargeable with duty on the value.

QUANTITIES OR VALUES OF FOREIGN GOODS EXPORTED.

	1831.	1832.	1833.
Rags of any kind of cloth	\$ 624	360	672
Furs of all kinds	24,757	36,917	27,306
Hides and skins, raw	20,723	712,306	572,413
Plaster of Paris	14	117	180
Copper in pigs and bars sheathing, &c.	123,745	15,785	38,699
Bullion—gold	50,990	35,267	50,089
silver	21,600	7,615	26,773
Specie—gold	203,572	255,517	
silver	899,565	630,850	495,890
Manufactures of wool.	5,831,830	3,351,417	1,723,196
Not exceeding 33 $\frac{1}{2}$ sq. yd.	19,297	299	
Exceeding	" 15,461	22,138	
50 "	" 33,888	31,615	
250 "	" 77,151	89,501	329,666
400 "	" 47,767	67,778	
400 and upwards	2,794	4,998	
Blankets	28,039	39,763	49,723
Hosiery, gloves, &c.	3,751	454	3,070
Bombazines	4,429		(none.)
Worsted stuff goods	49,997	53,738	88,463
Carpets and carpeting	6,519	1,310	1,734
All other manufactures	12,422	49,095	149,155
Cotton, &c.			
Printed or colored	1,746,442	1,094,412	1,352,286
White	973,774	782,356	710,193
Hosiery, gloves, &c.	57,015	62,775	45,937
All other	451,627	382,544	396,102
Silk from India, all kinds	418,689	649,054	651,697
Other places, all kinds	622,931	620,387	609,436
Lace, thread, silk, &c.	33,766	50,505	47,506
Linens, check, &c.	898,402	633,038	1,196,607
Ticklenburgs, sheetings, &c.	355,892	530,151	467,615
Hats, caps and bonnets	9,418	13,129	73,665
Manufactures of iron not spe.	157,692	115,596	125,242
Glass not subj. to spec. duties	27,797	29,468	27,113
China or porcelain	13,175	9,515	6,043
Earthen and stone ware	36,828	55,644	62,543
Brass wares	5,556	2,522	1,588
Leather, including saddles, bridles, &c.	2,965	8,009	5,975
Tin in plates	32,814	14,476	14,359
Sail duck	sq. yds. 219,616	465,500	{ 202,329
Cotton bagging	" 9,472	9,992	{ \$59,471
Wines	gal. 321,138	493,925	456,833
Foreign spirits	" 639,300	662,377	456,248
Molasses	" 17,695	29,656	728,606
Beer, ale and porter	" 9,605	7,729	18,720
Olive oil in casks	" 19,215	22,836	6,359
Tea	lbs. 526,186	1,279,462	1,712,779
Coffee	" 6,056,629	55,251,158	24,897,114
Cocoa	" 1,783,003	1,418,352	2,970,281

\* Exceeding 8 cents per lb.

Sugar, brown	lbs. 17,297,837	14,230,070	2,001,424
white	" 5,274,579	3,258,875	4,475,869
Indigo	" 238,218	303,108	186,736
Cotton	" 335,012	452,977	438,617
Gunpowder	" 11,224	13,675	24,592
White and red lead	" 164,638	72,113	55,555
Sugar of leafe	" (none)	150	2,417
Lead, bar, sheets & pigs	" 1,950,066	3,089,720	2,221,000
Cordage and cables	" 1,063,340	1,330,434	2,159,522
Twine, &c.	" 42,892	36,772	57,967
Muskets and rifles	no. 8,734	(none)	1,534
Iron and steel wire	lbs. 50	(none)	1,697
Nails and spikes	" 39,927	36,918	16,949
Cables & chains or parts	" 15,739	(none)	(none)
Castings	" 20,541	24,590	2,120
Sheet and hoop	" 161,278	235,477	265,085
Pig iron	cwt. 1,633	4,140	740
Bar and bolt, rolled	" 14,854	9,796	14,841
hammered	lbs. 780,440	681,804	2,416
Steel	cwt. 3,088	2,616	2,777
Hemp	" (none)	(none)	288
Wool	lbs. 3,607	1,227,959	(none)
Salt	bushels 55,669	29,350	44,570
Coal	" 4,329	(none)	8,784
Paper of all sorts	lbs 812,808	953,143	357,946
Glass ware not specified	" 3,960	165	(none)
Other	" 70,367	44,037	(none)
Glass, phials, bottles, demi-johns	gross 18,448	19,631	23,142
Window glass	100 sq. feet (none)	190	64
Shoes, boots, &c.	pairs 841	898	5,179

By deducting the exports of foreign goods, for the three successive years, from the amounts imported, the regular, as well as the comparative consumption, will be ascertained with sufficient accuracy.

LAWS OF THE UNITED STATES.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.  
*Be it enacted, &c.* That all that part of the United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the territory of Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

Sec. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians, (in the Indian country), without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district shall have power to revoke and cancel the same, whenever the person licensed, shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on without their boundary, except at certain suitable and convenient places to be designated from time to time by the superintendents, agents and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the commissioner of Indian affairs, for his approval or disapproval.

Sec. 3. *And be it further enacted,* That any superintendent, or agent, may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such applicant, has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent, to the commissioner of Indian affairs; and the president of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of, or for the tribe against which such prohibition is issued.

Sec. 4. *And be it further enacted,* That any person, other than an Indian, who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise, offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Sec. 5. *And be it further enacted,* That no license to trade with the Indians shall be granted to any person except citizens of the United States: *Provided,* That the president shall be authorized to allow the employment of foreign boatmen and interpreters, under such regulations as he may prescribe.

Sec. 6. *And be it further enacted*, That if a foreigner shall go into the Indian country without a passport from the war department, the superintendent, agent or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

Sec. 7. *And be it further enacted*, That if any person other than an Indian shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

Sec. 8. *And be it further enacted*, That if any person, other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy, any peltries or game, except for subsistence in the Indian country, such person shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns and ammunition, in his possession, used or procured to be used for that purpose, and peltries so taken.

Sec. 9. *And be it further enacted*, That if any person shall drive or otherwise convey any stock or horses, mules or cattle, to range or feed on any land belonging to any Indian or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

Sec. 10. *And be it further enacted*, That the superintendent of Indian affairs, and Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the president of the United States is authorised to direct the military force to be employed in such removal.

Sec. 11. *And be it further enacted*, That if any person shall make a settlement on any lands belonging, secured or granted by treaty with the United States to any Indian tribe, or shall survey or shall attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the president of the United States to take such measures and employ such military force, as he may judge necessary to remove from the lands aforesaid any such person as aforesaid.

Sec. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided*, nevertheless, That it shall be lawful for the agents or agents of any state who may be present at any treaty held with Indians under the authority of the U. States, in the presence, and with the approbation of the commissioner or commissioners of the United States appointed to hold the same, to propose to, and adjust with, the Indians, the compensation to be made for their claim to lands within such state, which shall be extinguished by a treaty.

Sec. 13. *And be it further enacted*, That if any citizen or other person residing within the United States or the territory thereof, shall send any talk, speech or message, or letter to any Indian nation, tribe, chief or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

Sec. 14. *And be it further enacted*, That if any citizen or other person, shall carry or deliver any such talk, message, speech or letter, to or from any Indian nation, tribe, chief or individual, from or to any person or person whatsoever, residing within the United States, or from or to any subject, citizen or agent of any foreign power or state, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

Sec. 15. *And be it further enacted*, That if any citizen or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief or individual, to war against the United States, or to the violation of any existing treaty; or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars.

Sec. 16. *And be it further enacted*, That where, in the commission, by a white person, of any crime, offence or misdemeanor, within the Indian country, the property of any friendly Indian is taken, injured or destroyed, and a conviction is had for such crime, offence or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, in-

jured or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same, shall be paid out of the treasury of the United States: *Provided*, That no such Indian shall be entitled to any payment, out of the treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: *And provided*, also, That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the treasury, as aforesaid.

Sec. 17. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States shall within the Indian country, take or destroy the property, of any person lawfully within such country, or shall pass from the Indian country into any state or territory inhabited by citizens of the United States, and there take, steal or destroy, any horse, horses or other property, belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney or agent, may make application to the proper superintendent, agent or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the president, make application to the nation or tribe to which said Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent or sub-agent, to make return of his doings to the commissioner of Indian affairs, that such further steps may be taken as shall be proper in the opinion of the president, to obtain satisfaction for the injury; and, in the mean time, in respect to the property so taken, stolen or destroyed, the United States guaranty to the party so injured, an eventual indemnification: *Provided*, That, if such injured party, his representative, attorney or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claims upon the United States for such indemnification: *And provided*, also, That, unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong, receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom, and paid to the party injured; and, if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the treasury of the U. States: *Provided*, That nothing herein contained shall prevent the legal apprehension and punishment of any Indians having so offended.

Sec. 18. *And be it further enacted*, That the superintendents, agents and sub-agents, within their respective districts, be and are hereby authorised and empowered to take depositions of witnesses touching any depredations within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

Sec. 19. *And be it further enacted*, That it shall be the duty of the superintendents, agents and sub-agents, to endeavor to procure the arrest and trial of all Indians accused of committing any crime, offence or misdemeanor, and all other persons who may have committed crimes or offences within any state or territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the president may authorise; and the president may direct the military force of the United States to be employed in the apprehension of such Indians, and also in preventing and terminating hostilities between any of the Indian tribes.

Sec. 20. *And be it further enacted*, That, if any person shall sell, exchange or give, barter or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country), such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the war department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, sub-agent or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent or sub-agent, or military officer, agreeably to such regulations as may be established by the president of the United States, to cause the boats, stores, packages and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked, and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies, as mentioned in this section.

Sec. 21. *And be it further enacted*, That, if any person whatever shall, within the limits of the Indian country, set up or continue any distillery for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be

the duty of the superintendent of Indian affairs, Indian agent or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

Sec. 22. *And be it further enacted*, That, in all trials about the right of property in which an Indian may be a party on one side, and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

Sec. 23. *And be it further enacted*, That it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the president may direct, in the apprehension of every person who shall or may be found in the Indian country; in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the territory or judicial district in which said person shall be found, to be proceeded against in due course of law; and also, in the examination and seizure of stores, packages and boats, authorised by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: *Provided*, That no person apprehended by military force as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody, shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of mal-treating any such person while in custody, shall suffer such punishment as a court martial shall direct.

Sec. 24. *And be it further enacted*, That, for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the state of Missouri; west by the Mexican possessions, south by Red river; and east, by the west line of the territory of Arkansas, and the state of Missouri, shall be, and hereby is, annexed to the territory of Arkansas; and that, for the purpose aforesaid, the residue of the Indian country west of said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and, for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river, shall be, and are hereby, severally annexed to the territory in which they are situate.

Sec. 25. *And be it further enacted*, That so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: *Provided*, The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

Sec. 26. *And be it further enacted*, That, if any person who shall be charged with the violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territories, such offenders may be there apprehended, and transported to the territory or judicial district having jurisdiction of the same.

Sec. 27. *And be it further enacted*, That all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any state or territory in which the defendant shall be arrested or found), the one-half to the use of the informer, and the other half to the United States, except when the prosecution shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Sec. 28. *And be it further enacted*, That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person prosecuting on behalf of the United States to proceed against such goods or other property, in the manner directed to be observed in the case of goods, wares or merchandise, brought into the United States in violation of the revenue laws.

Sec. 29. *And be it further enacted*, That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: An act to make provision relative to rations for Indians, and to their visits to the seat of government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March third, eighteen hundred and two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the act establishing trading houses with the Indian tribes, approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled an act to provide for the prompt settlement of public accounts, approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making up

propositions to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled an act for establishing trading houses with the Indian tribes, and for other purposes, approved March three, eighteen hundred and nineteen; an act to amend an act entitled an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved thirtieth of March, eighteen hundred and two,\* approved May six, eighteen hundred and twenty two; an act providing for the appointment of an agent for the Osage Indians west of the state of Missouri and territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty four; the third, fourth and fifth sections of an act to enable the president to hold treaties with certain Indian tribes, and for other purposes, approved May twenty-five, eighteen hundred and twenty four; the second section of the act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi, approved May twenty, eighteen hundred and twenty-six; and an act to authorise the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty five, eighteen hundred and thirty one: *Provided, however*, That such repeal shall not affect any rights acquired, or punishments, penalties, or forfeitures incurred, under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided, also*, That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

Sec. 30. *And be it further enacted*, That until a western territory shall be established, the two agents for the western territory, as provided in the act for the organization of the Indian department, this day approved by the president, shall execute the duties of agents for such tribes as may be directed by the president of the United States. And it shall be competent for the president to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country, or for such tribes, as the president may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendent shall cease: *Provided*, That no additional compensation shall be allowed for such services.

Approved, June 30, 1834.

An act to provide for the organization of the department of Indian affairs.

*Be it enacted*, &c. That the duties of the governors of the territories of Florida and Arkansas, as superintendents of Indian affairs, shall hereafter cease, and the duties of the governor of the territory of Michigan, as superintendent of Indian affairs, shall cease from and after the establishment of a new territory, embracing the country west of Lake Michigan, should such a territory be established. And while the governor of the said territory of Michigan continues to act as superintendent of Indian affairs, he shall receive therefor the annual sum of one thousand dollars, in full of all allowances, emoluments or compensation for services in said capacity.

Sec. 2. *And be it further enacted*, That there shall be a superintendency of Indian affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi river, the superintendent of which shall reside at St. Louis, and shall annually receive a salary of fifteen hundred dollars.

Sec. 3. *And be it further enacted*, That superintendents of Indian affairs shall, within their several superintendencies, exercise a general supervision and control over the official conduct and accounts of all officers and persons employed by the government in the Indian department, under such regulations as shall be established by the president of the United States; and may suspend such officers and persons from their office or employments, for reasons forthwith to be communicated to the secretary of war.

Sec. 4. *And be it further enacted*, That the following Indian agents shall be appointed by the president of the United States, by and with the advice and consent of the senate, who shall hold their offices for the term of four years, and who shall give bond, with two or more securities, in the penal sum of two thousand dollars, for the faithful execution of the same, and shall each receive the annual compensation of fifteen hundred dollars:

- Two agents for the western territory.
- An agent for the Chickasaws.
- An agent for the eastern Cherokees.
- An agent for the Florida Indians.
- An agent for the Indians in the state of Indiana.
- An agent at Chicago.
- An agent at Rock Island.
- An agent at Prairie du Chien.
- An agent for Michilimackinac and the Sault Sainte Marie.
- An agent for the Saint Peter's.
- An agent for the Upper Missouri.
- And the following agencies shall be discontinued at the periods herein mentioned, that is to say:
  - The Florida agency, from and after the thirty-first day of December next.

\*Here appears to be an omission—but it is according to the official copy.

The Cherokee agency, from and after the thirty-first day of December next.

The Indiana agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

The Chicago agency, from and after the thirty-first day of December next.

The Rock Island agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

And all other agencies, not provided for in this act, from and after the passing thereof. *Provided*, That the limitation of the said agencies shall not be construed to prevent the president of the United States from discontinuing the same at an early period. And the president shall be, and he is hereby authorised, whenever he may judge it expedient, to discontinue any Indian agency, or to transfer the same from the place or tribe designated by law, to such other place or tribe as the public service may require. And every Indian agent shall reside and keep his agency within or near the territory of the tribe for which he may be agent, and at such place as the president may designate, and shall not depart from the limits of his agency without permission. And it shall be competent for the president to require any military officer of the United States to execute the duties of Indian agent.

Sec. 5. *And be it further enacted*, That a competent number of sub-agents shall be appointed by the president, with an annual salary of seven hundred and fifty dollars each, to be employed and to reside wherever the president may direct, and who shall give bonds, with one or more sureties, in the penal sum of one thousand dollars, for the faithful execution of the same. But no sub agent shall be appointed who shall reside within the limits of any agency where there is an agent appointed.

Sec. 6. *And be it further enacted*, That nothing herein contained, shall be construed to require the reappointment of persons now in office, until the expiration of their present term of service; but the commissions of all Indian agents and sub-agents, now in office, shall expire on the fourth of March next, unless sooner terminated.

Sec. 7. *And be it further enacted*, That the limits of each agency and sub-agency shall be established by the secretary of war, either by tribes or by geographical boundaries. And it shall be the general duty of Indian agents and sub-agents, to manage and superintend the intercourse with the Indians within their respective agencies, agreeably to law; to obey all legal instructions given to them by the secretary of war, the commissioner of Indian affairs, or the superintendent of Indian affairs; and to carry into effect such regulations as may be prescribed by the president.

Sec. 8. *And be it further enacted*, That the president of the United States may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods or effects of any kind, on account of the Indian department.

Sec. 9. *And be it further enacted*, That an interpreter shall be allowed to each agency, who shall receive an annual salary of three hundred dollars: *Provided*, That where there are different tribes in the same agency, speaking different languages, one interpreter may be allowed, at the discretion of the secretary of war, for each of the said tribes. Interpreters shall be nominated by the proper agents, to the war department for approval, and may be suspended, by the agent, from pay and duty, and the circumstances reported to the war department for final action; and blacksmiths shall, in like manner, be employed wherever required by treaty stipulation, and such blacksmith shall receive an annual compensation of four hundred and eighty dollars; and, if they furnish their shop and tools, an additional sum of one hundred and twenty dollars; and their assistants shall be allowed an annual compensation of two hundred and forty dollars. And wherever farmers, mechanics, or teachers are required by treaty stipulations to be provided, they shall be employed under the direction of the war department, and shall receive an annual compensation of not less than four hundred and eighty dollars, nor more than six hundred dollars. And in all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties. And where any of the tribes are, in the opinion of the secretary of war, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe.

Sec. 10. *And be it further enacted*, That the compensation prescribed by this act shall be in full of all emoluments or allowances whatsoever: *Provided, however*, That, where necessary, a reasonable allowance or provision may be made for offices and office contingencies: *And provided, also*, That where persons are required, in the performance of the duties under this act, to travel from one place to another, their actual expenses, or a reasonable sum in lieu thereof, may be allowed them: *And provided, also*, That no allowance shall be made to any person for travel or expenses in coming to the seat of government to settle his accounts, unless thereto required by the secretary of war: *And provided, also*, That no person shall hold more than one office at the same time under this act, nor shall any agent, sub-agent, interpreter, or person employed under this act, receive his salary while absent from his agency or employment without

leave of the superintendent or secretary of war, provided such absence shall at no one time exceed sixty days.

Sec. 11. *And be it further enacted*, That the payment of all annuities, or other sums stipulated in any treaty to be made to any Indian tribe, shall be made to the chiefs of such tribe, or to such person as said tribe shall appoint; or if any tribe shall appropriate their annuities to the purpose of education, or to any other specific use, then to such person or persons as such tribes shall designate.

Sec. 12. *And be it further enacted*, That it shall be lawful for the president of the United States, at the request of any Indian tribe to which any annuity shall be payable in money, to cause the same to be paid in goods, purchased as provided in the next section of this act.

Sec. 13. *And be it further enacted*, That all merchandise required by an Indian treaty for the Indians, payable after making of such treaty, shall be purchased under the direction of the secretary at war, upon proposals to be received, to be based on notices previously to be given; and all merchandise, required at the making of any Indian treaty, shall be purchased under the order of the commissioners, by such persons as they shall appoint, or by such person as shall be designated by the president for that purpose. And all other purchases on account of the Indians, and all payments to them of money or goods, shall be made by such person as the president shall designate for that purpose. And the superintendent, agent, or sub agent, together with such military officer as the president may direct, shall be present, and certify to the delivery of all goods and money required to be paid or delivered to the Indians. And the duties required by any section of this act, of military officers, shall be performed without any other compensation than their actual travelling expenses; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects of any kind, for the benefit of the Indians, shall settle their accounts, annually, at the war department, on the first day of October; and copies of the same shall be laid, annually, before congress at the commencement of the ensuing session, by the proper accounting officers, together with a list of the names of all persons to whom money, goods, or effects, had been delivered within said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquents, if any, in forwarding their accounts according to the provisions of this act; and, also, a list of the names of all persons appointed or employed under this act, with the dates of their appointment or employment, and the salary and pay of each.

Sec. 14. *And be it further enacted*, That no person employed in the Indian department shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall forfeit the sum of five thousand dollars; and upon satisfactory information of such offence being laid before the president of the United States, it shall become his duty to remove such person from the office or situation he may hold.

Sec. 15. *And be it further enacted*, That the president shall be, and he is hereby, authorised to cause any of the friendly Indians west of the Mississippi river, and north of the boundary of the Western Territory, and the region upon Lake Superior and the head of the Mississippi, to be furnished with useful domestic animals and implements of husbandry, and with goods, as he shall think proper: *Provided*, That the whole amount of such presents shall not exceed the sum of five thousand dollars.

Sec. 16. *And be it further enacted*, That the president be, and he is hereby, authorised to cause such rations as he shall judge proper, and as can be spared from the army provisions, without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered.

Sec. 17. *And be it further enacted*, That the president of the United States shall be, and he is hereby, authorised to prescribe such rules and regulations as he may think fit, for carrying into effect the various provisions of this act, and of any other relating to Indian affairs, and for the settlement of the accounts of the Indian department.

Sec. 18. *And be it further enacted*, That all acts, or parts of acts, contrary to the provisions of this act, shall be, and the same are hereby repealed.

Approved, June 30, 1834.

An act in addition to the "act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March third, eighteen hundred and twenty five.

*Be it enacted*, &c. That whenever any criminal, convicted of any offence against the United States, shall be imprisoned in pursuance of such conviction, and of the sentence thereupon, in the prison or the penitentiary of any state or territory, such criminal shall, in all respects, be subject to the same discipline and treatment as convict sentenced by the courts of the state or territory in which such person or penitentiary is situated; and, while so confined herein, shall also be exclusively under the control of the officers having charge of the same, under the laws of the said state or territory.

Approved, June 30, 1834.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have waited for a corrected copy of the late promotions and appointments, &c. in the army. It has just been received, and shall be speedily inserted.

When speaking of an increased ability in the banks to render accommodations to their customers, in consequence of the greatly reduced demand on the banks for pecuniary facilities, we made a particular reference to "restrained expenditures," and the greater caution with which honest and reflecting persons entered into "new enterprizes"—introducing one or two practical examples. But a few words more on these things may not be unprofitable—seeing that we cannot too closely investigate the principles on which the prosperity or adversity of a country depends, and especially by means of a liberal or stinted, rapid or slow, *circulation of values*.

The considerations and facts that belong to these subjects are so copious, and present themselves so much in masses, that it is not easy to fix upon a place for beginning, or of ending, one's observations upon them; and political economics are to be grappled only by closely regarding special operations, using them as general indications of the power of AGGREGATION. For though it would be an almost endless work, if not also a vain one, even to attempt a particular showing of all the facts that enter into the masses alluded to, the amounts that might be demonstrated, if added together, would startle the minds of many, and cause thoughtless individuals to reject the whole as wild and visionary in the extreme.

If an ignorant person was told that a drop of vinegar contains, perhaps, a thousand snake-like animals, or that millions of huge and fierce alligator or crab-like belligerents "have a habitation and home" on a few common figs—he would reject the information as an insult offered to his understanding; but science has presented these things so plainly to the natural eye, that no respectable man, though he himself may never have seen a solar microscope used, will venture to doubt the existence of such animals, and in the multitudes referred to. And even the vast ocean is formed by the aggregation of indivisible particles of matter. It is the order which INFINITE WISDOM has ordained; and its power and effect cannot be mistaken by any intelligent man who will take the trouble of thinking a little for himself.

We have several times, and at considerable length, spoken of *creations of values* and *circulations of values*, and shall now only notice them with reference to *aggregation*.

1. In the *creations of values* is included all the annual *earnings* or *profits* of LABOR, no matter how or to what purpose applied—whether to build a palace, or make a goose-yoke—to fence-in a field, or drive the cows to pasture. The yearly *earnings* and *profits* of the inhabitants of the United States (13,000,000), must considerably exceed the value of *fifteen hundred millions of dollars a year*, as measured by the present price of money, or what is so called and used—for this vast sum gives only an average of 120 dollars for each person, and includes not only the food, clothing, shelter and earnings, for the comfort or luxury of all classes, but takes in all improvements of lands, or in houses, canals and roads—in short, *every thing* that is produced either by manual labor, or the application of scientific power. How much of these earnings passes into the *capital* of the country, to make *new earnings*, we cannot venture to determine—but the amount must be large, seeing how great the annual advances of population and improvement, public and private, have been; and we should not deem it extravagant to say that a value of more than 300 millions of dollars has been *annually added to the PRODUCTIVE CAPITAL of the United States*, which proceeds to *accumulate values* in a geometrical ratio. But, as the population advances and the wild lands are improved, &c. &c. the progress of capital will be *comparatively lessened*.

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2. The *circulation of values* is based upon the *creations* just above alluded to. Its amount is always incalculably great, and may be said to be without limit, if human things can be so. On this subject we beg leave to refer the reader to an article published in the first pages of the present volume of the REGISTER. It includes all *exchanges* of productions, or of values, of every description—and the rapidity or slowness of the circulation renders money "plenty" or "scarce," as we say that it is.

3. *Aggregation* is the result of creation and of circulation, and also refers to the *balance* when the great profit and loss account is settled. There may be creations of values without circulations, and, consequently, there is no aggregation. We shall endeavor to make this understood by a simple proposition. If 100 dollars worth of wheat be destroyed by fire, or otherwise, before it reaches the market—there cannot be any *circulation* or *aggregation* of values on account of its *production*; but if the wheat reaches its market, whether in the family of the grower, or a thousand miles off, a circulation of values has been made, and aggregation goes on with every circulation. The real value of the wheat is not at all impaired for the reason that it is consumed by the grower of it—for, without some such consumption even *POPULATION*, the first principle or origin of value, would cease, and labor, as well as all the objects of labor, come to an end! And on this account it is that articles of food, or others that are essentially necessary or immediately useful, either to keep up or increase population, or otherwise furnish an ability to labor, have a perpetual circulation, and will have, until the millennium arrives, or some other great change takes place in the condition of the world—and man shall cease to earn his bread by "the sweat of his brow."

These remarks, or explanations, seemed necessary to a correct understanding of the *effects* of "restrained expenditures" or "diminished enterprizes"—to which we shall now return.

We suppose that a value equal to 400 millions of dollars, annually, passes into the supply of *clothing, household furniture*, and all other matters of a purely *personal* or *family* nature—no reference being had to articles of food, houses for shelter, &c. &c. This will appear reasonable when it is recollected that it allows only about 30 dollars a year for each individual, or an average of 150 dollars for a family of five persons, and includes every thing, from a broad cloth coat to a needle-full of thread—from a coach, to the mending of a child's shoe—from the grand piano of the parlour, to the meaneast utensil in the hut of a slave—from the most splendid service of plate, to a baby's A B C book, and so on through the whole chapter of articles which necessity or convenience, comfort or luxury, demands, including the cost of all journeys or excursions made, or of horses or other animals kept for pleasure, or even for going to church, with charges for building or supporting churches, and all amounts expended on benevolent objects, or on account of the ball room, race ground, or theatre, &c. &c. When these general notices are considered, it will be easily agreed, we think, that the supposed aggregate is a moderate one, being no more than 30 dollars for every individual. There are millions who do not expend or exhaust money at such a rate, because they cannot—but there are millions who go far beyond it; and the rate does not much, if any, exceed that which is held by a discreet journeyman mechanic, earning from 7 to 10 dollars a week, if his family does not exceed three or four persons in all.

The articles named, or referred to, are those over which much *discretion* may be exerted.—A man may easily wear an old coat a little longer, his wife delay the purchase of a new shawl, and her daughter that of a piano—or a pair of shoes, &c. Well—if on account of the scarcity of money, or the want of confidence as to future

earnings or receipts of it—persons are induced to postpone purchases of things not *indispensable*, or which they can do without a little longer—give up a journey or excursion for pleasure, or withhold a donation, &c. so that the delay, or several delays, thereby caused, may make up an average postponement, (and a postponement only), of three months, one hundred millions of dollars less, in currency or credit, is wanted, and the ability of the banks, and other money lenders, is considerably increased to relieve their customers, whether importing merchants, manufacturing mechanics, or other dealers.

From inquiry, I am satisfied that the sales of tailors, shoe-makers, hatters, cabinet makers, coach-makers, book publishers, and all their primary or dependent branches, have had an average or aggregate *delay* of three months, since the derangement of the currency of the country—and this delay, or *gaining of time*, by consumers, has affected producers, or vendors, in the amount of one-fourth of their natural business, as we shall call it, or profits earned in the year. We are safe in stating this, we believe, in a well founded opinion, that almost every person, in the same regular business as in the year ending September 1833, would exceedingly rejoice in a hope that the end of the year ending Sept. 1834, will find him minus in profits, only one-fourth part less than in the former period! There are classes of persons who are not at all affected, however, unless advantageously, by the contraction of the currency, such as office-holders, and others living on fixed incomes. It is a "glorious" thing for such as these! They have good reason to congratulate themselves on the snugness of their own condition. The worthy and reflecting working man, though in the receipt of his former wages, and promptly paid them, knows and feels and sympathizes with his employer, and relieves him as much as possible by extra attention and care; but the office-holder is so far removed from those who pay him (the people), that he may even feel delight in the wailings of the "public goose" that he assists in plucking. "The government does not complain," said a member of congress from the city of New York—by "the government" meaning those who "fodder at the public rack," as col. Crockett would say.

There are other persons more or less free from the restrained expenditures to which we allude—for, to all general rules there are exceptions; but these may not materially affect general results.

We think it is shewn pretty clearly, as being probable that 100 millions of dollars will be *lost to the circulation* of the present year, as dependent on the branches of business referred to—which involves many of the most important of our manufactures,—as furnishing the *materials* from which the articles particularly referred to are composed, the annually produced or *created* value of which is wonderfully large to those who have not looked into the subject. The aggregate, or final result, of the values of *leather*, for an example, is probably quite equal to that of the average of the whole *cotton crop!* Look at it—it allows considerably less than 3 dollars a year for each person, per annum—for the supply of boots and shoes, harness for horses, and the hundred other things for which leather is used. The aggregate value, of course, includes that of the labor of all the persons working in leather, and we put down that value at not less than 35 millions of dollars, and it employs or subsists many score of thousands of persons in the United States.

But, though 100 millions are thus lost to the circulation, and so renders money scarce with individuals and easier to be obtained at the banks, no actual loss of *money* to the nation ensues, the savings of one party standing against the reduced profits of the other: but there is a loss of those comforts for which persons expend money, earned by their labor.

What are the legitimate uses of money or profits? The comfort of those who possess or earn money. A man may be, perhaps, as well sheltered by an old coat as a new one—but he loves something as valuable to him as the cost of a new coat, else he would not *then* purchase one if he could. This position cannot be set aside, and what we call *happiness* depends on it. Men have lived in dens and caverns, clothed in skins. *Diogenes* had only a tub, a sack and a cup, and the last he threw away on seeing a boy drink out of his hand. It is related of a famous English miser, that, when another of his class called upon

him in an evening to obtain a lesson in *economy*, the former extinguished his farthing candle, saying that they could talk as well in the dark as in the light!—and the writer of this work knew, in early life, two solitary old men who rivalled one another in economy! At the end of a year, one of them, having been told that the other had lived the twelve months on the expenditure of something less than twenty dollars, expressed his doubt of the fact,—and said that it had cost him a little over twenty-five dollars, and he (the latter), thought that he had lived as close as any person *ought* to do! That we might live upon much less than we expend, or fatten as fast and breathe as freely in a slantice by the side of a canal or rail road as in the most convenient of our dwellings, there is no doubt—but life, on such conditions, and without looking to a change of them, is valueless to the possessor. The "saw dust pudding" of *Franklin*, may be eaten in a spirit of independence, on particular occasions; but one condemned to feed on "saw dust pudding" only, would not be thankful for the gift of life. And what must become of those who make a living by sowing and reaping wheat, and planting and gathering corn, &c. if every body lived on "saw dust pudding?"

Rewarding *labor* is the first great happiness of mankind—and the second is the appropriation or distribution of the profits of labor. The bond of society is the mutual dependence which one man has upon his fellow, or the mutual assistance which every good citizen renders to his "neighbor." Break down these relations, and society is resolved into its original elements, when every man acted as it "seemed good in his own eyes," and there were no aggregations of value in property, or safety to person. Labor is a blessing—idleness the parent of evil; but the blessing is denied, and evil increased, when the will to labor is diminished in consequence of a necessity that forbids an ENJOYMENT of its profits—though actual *suffering* may not occur. Man should not live merely to eat—but to eat *only* that he may live, is a miserable state of existence.

The diminished circulation of values that we have endeavored to shew, acts undoubtedly, and *directly*, against "new enterprises." We shall state a simple and common case by way of example. A person by his industry and economy—(we mean economy with comfort—for the first without the last, unless with a fixed view to the last, cannot be approved, as it necessarily runs into meanness, if not into knavery), has earned and saved 500 dollars for the purpose of building a house and home for his family and himself. He says, "such a house as I desire to build will cost me one thousand dollars, and, paying 500, I can obtain a credit of 500 on the house, payable in 5 years, 100 dollars a year, which, with the interest, I can pay out of my annual profits or savings." But if the business of that man is interrupted, and his profits lessened, or rendered altogether uncertain, he will *postpone* his design of building and remain a tenant, rather than venture on a proceeding which may endanger the money that he has, in a sacrifice of the property pledged for the payment of the additional sum that must be borrowed to carry out the project. This is an act of common prudence; and tens of thousands who have not so reviewed the real state of things, have been ruined, or robbed, of the savings that they had made, by disturbances of the currency. This case in humble life equally applies to the heaviest operations; and its *principle* does not vary, whether the expected cost of a thing be 500 or 500,000 dollars; and such postponements act against the interest of other persons whose business it is to furnish materials or labor for such undertakings.

To some—the learned in political economics, or persons accustomed to reflect on the power of aggregation, the preceding remarks may appear supererogatory—but our wish is to render these matters familiar to others, and lead them into considerations of the cause and effect of seemingly trifling things, the *combinations* of which they have not been accustomed to examine—for herein is truth—important truth, which every man, from the richest to the poorest, is interested in understanding, seeing that every *citizen* forms, or should form, an integral part of the government of this country.

A friend observed the other day, that our course, on the concerns of the POST OFFICE had been like the In-

dian's tree—"so straight that it leaned tother way;" i. e. against the report of the committee of the senate: for we not only published the report of the minority but also Mr. Barry's long vindictory address. The record is in complete on this subject—but whether to publish the letters of Mr. Bradley, addressed to the president, in reply to Mr. Barry, or take some of the speeches, on both sides, in the senate, it seems not easy to determine.

The election for a member of congress in the Richmond district, Virginia, in the place of Mr. Stevenson, resigned, has just closed, and resulted in the election of Mr. Robertson, the whig candidate. The vote stood thus: for Mr. Robertson 689, Mr. Roane 331; majority for Mr. Robertson, 358.

The returns from Louisiana have not all yet been received, but sufficient to enable us to give the result. The N. O. Courier, an administration paper says—"we have further returns to-day of the election; but they do not inspire us with hope. General Walker, it appears, is beaten, in the third congressional district, by Mr. Garland—making our defeat total and complete." All the returns were received at New Orleans except from one parish, which it is said will not vary the result much. The vote for governor is, for White, whig, 6,089. Dawson, Jackson, 4,253, majority, as far as heard from, for White 1,836. A letter published in the National Intelligencer, dated New Orleans, July 16, after stating that Mr. White is elected, says, that "the whigs have elected their entire delegation to congress, and from two-thirds to three-fourths of the state legislature." In this district, there were two whig candidates, whose aggregate vote was 2,946, and the Jackson vote 1,384: Henry Johnson, (whig), is elected by a majority of 516 over the aggregate vote of both his opponents. In the 2d district there were four candidates: General Ripley is elected by a plurality of votes, and not a majority of the whole number—say 1,167 out of about 2,700. General Ripley has heretofore been a warm Jackson man, but, recently, he publicly renounced Jacksonism, and has been chosen by a majority of about 200 over Chinn, the regular whig candidate, who injured his vote by advocating Dawson for governor, from personal feelings.\* In the 3d district, Mr. Garland is re-elected by a large majority over gen. Walker, the most popular and able Jackson man in the state, and who was, from those causes, selected last winter to run against judge Porter for the United States senate.

Though the sales of wool are not brisk—yet the prices paid seem fair, and rather better than we feared. Some of the fine Saxonomies of Dutchess county, N. York, and other places, had sold for 67 cents; but the average sales are supposed to be from 6 to 10 cents per lb. less than last year.

Very many deaths have happened from drinking cold water—but at New York, one of the sextons, becoming heated when digging a grave for a person that had so died, drank plentifully of cold water, and so died himself.

The cholera, (as we learn from the Missouri Enquirer, published at Liberty, in Clay county, Missouri,) exists to an alarming degree among the Mormons who recently emigrated to that country. In three or four days, eighteen cases had occurred, thirteen of which had proved fatal. The pestilence had also appeared at Rushville, Pekin and Dillon's settlement, near Pekin. At Rushville there had been 12 deaths, at Pekin 9, and at Dillon's settlement 8 cases and 4 deaths.

In Kentucky the disease had made its appearance at Mills Point, at the mouth of the Sandy river, about 13 miles from Paris, and at Princeton. At the latter place 8 or 10 deaths had occurred.

At Montreal and Quebec, Canada, much alarm and a good deal of sickness exists, although, as a correspondent

\*There is a family connection between these two gentlemen, and we were advised, before hearing from the election, that Mr. Chinn's supporting Mr. Dawson would probably lose him his own election. (Editors Nat. Intel.

of the New York Mercantile says, the papers are silent. He had been at Montreal, and should have proceeded to Quebec, but that the cholera was so bad at the latter place as to put a stop to business. During his stay at Montreal, on the 23d and 24th ult. 60 deaths, he says, occurred. The sanitary committee of Montreal made an official publication on the 22d ult. in which they state the total number of patients received at the cholera hospital, from July 11, the first day of its appearance, to the 22d, inclusive, had been 44, of these 23 had died, 11 were convalescent and 5 remained.

The Wheeling Gazette of the 26th ult. says that it is doubted by many whether there have been any cases of cholera among them, at all events not more than four or five cases, and none for the two or three preceding days.

Two deaths by cholera have occurred at Madison, Indiana; thirty-five at Fulton, Ohio, and twenty-two at Trenton, Kentucky. In the latter place, we notice the death of Enoch Prince, esquire, a member of the state senate.

The citizens of Wilmington, Delaware, paid funeral honors to general Lafayette, on Monday last. The procession was a long one, and presented an imposing spectacle. The stores and other places of business were nearly all closed, and every one appeared to vie with his neighbor in testifying his sincere veneration for the memory of the illustrious and early benefactor of his country. A large number of persons from the county attended and joined in the ceremonies of the day. The procession left the Town Hall at 10 o'clock, and after moving through the several streets of the city, arrived at the Presbyterian church at 12 o'clock, where the closing scene of the solemnities of the day was opened by an appropriate dirge, which was followed by an impressive address to the throne of grace by the rev. Mr. Granger. The rev. I. Pardee then rose and delivered an oration commemorative of the merits, virtues and sacrifices of Lafayette. The oration occupied about an hour in the delivery, and was listened to with the profoundest attention by the audience. When the orator sat down, a prayer was offered up by the rev. Mr. Galey, after which, the rev. Mr. Wilmer pronounced a benediction; and the whole was concluded by a solemn dirge performed by the choir. The day passed without any occurrence to disturb the proceedings, or to mar those feelings which should prevail on such an occasion.

The university of Virginia had about 210 matriculates, at the last session, which is by far the largest number she has ever yet enrolled. At the recent examination, seven of the students received the degree of master of arts. Mr. W. C. Rives has been appointed by the governor of Virginia, a visiter in the place of Mr. Madison resigned. Joseph C. Cabell, esq. is appointed rector, which office had been held by Mr. Madison, since Mr. Jefferson's death.

A public dinner was given to colonel Matthew Arbuckle, of the U. S. 7th regiment of infantry, by the officers of his regiment, on the 7th June, on the occasion of his retiring from that post, which he has commanded with great credit to himself, and with public approbation, for many years.

On the following toast being given, viz: "Our guest, col. M. ARBUCKLE—An officer distinguished for long and faithful, as well as important services, and one closely identified with the history of this section of the country; our government will not forget him."

Col. A. returned thanks, and amongst other things, remarked: "As my impaired health obliges me to seek for its restoration in a different climate, and as I may never return, it is a source of no inconsiderable gratification to leave this frontier in a state of perfect peace, as far as relates to the Indian tribes with which the United States have intercourse, and between them and our citizens. The state of affairs, gentlemen, was very different on my arrival in this country, twelve years since. Then the surrounding tribes were engaged in continual acts of hostility to each other, and one of them frequently murdering and plundering our citizens."

Mr. William A Woodall, ascended in a balloon on Monday last, from the Observatory Gardens, Federal

Hill, at half past six, P. M. The balloon was constructed by Mr. Elliott. Its first course was north west, and after proceeding in that direction for about a mile, it took a north east one for about a mile, and then proceeded south east, making nearly a circle, and passing over the whole of our city. At 35 minutes past 7 o'clock, Mr. Woodall landed in safety on the farm of col. Weatherly, about 7 miles from town, near the North Point road, and adjoining the battle ground. The ascent was one of great splendor, and gave universal satisfaction. Mr. Woodall says that he thinks he rose, while over the city, to the height of two miles.

The Philadelphia "American Daily Advertiser" says—Christopher Columbus died on the 20th May, 1505; Lafayette 20th May, 1834.

It appears, from the *American Republican*, that the name of the white man in Chester county, who advertised a short time ago for a black wife, is *Isaac Sheen*, of Uewland township. He is an Englishman by birth—a stocking weaver by trade; has never been naturalized, and has been heard to say he never would be.

A public dinner was given to col. *David Crockett*, at Louisville, Kentucky, on his way home.

The Hagerstown "Mail" states that hail stones of an unusually large size fell in the neighborhood of Bakersville, Washington county, Md. on the 21st ult. many of them were 8, 10 and 12 inches in circumference, weighing from one quarter to a pound. The injury to the corn is but trifling as but few stones fell.

The cotton, corn, rice and cane crops in Georgia promise well.

Madame *Darvismont*, formerly Miss *Frances Wright*, is delivering lectures on education in London.

The ship *American*, capt. *Matthews*, from Apalachicola, bound to New York, in going over the bar on the 5th July, with a full cargo of cotton, was discovered to be on fire in the hold, and was run on shore, where she burnt to the water's edge. Nothing saved but the baggage.

The legislature of Newfoundland recently closed its session, and owing to the poverty of the treasury, omitted to pay the rent of the house in which they sat. In consequence of this omission, their landlady, a Mrs. *Mary Travers*, has sued out a distraint to satisfy her demands. The following is the advertisement offering the goods for sale:

*Auction*—On Friday night at 12 o'clock, if not previously redeemed, at the house now occupied by Mrs. *Travers*, the undermentioned articles, taken by distress for rent due from the legislative assembly of Newfoundland, to the subscriber viz:

1 large desk, containing 8 drawers, filled with a variety of books, papers, and port folio—the speaker's chair, stuffed and elegantly covered with blue morocco, and with brass—1 large chair, stuffed, superbly covered, and well and substantially built, used by the usher of the black rod—A cocked hat, of superior quality, but now a little shabby, worn by the sergeant at arms—the reporter's desk—2 large stoves, with funnelling to suit, and six covered forms—with a variety of other articles too tedious to mention—all very valuable.

Terms made known at the time of sale.

*James Cliff*, auctioneer.

MARY TRAVERS.

Mexico is more and more disturbed, and several hundred thousand dollars are being shipped to the United States, for safety. *Santa Anna* was carrying on a civil war, for the sake of "religion," and the priests are said to supply him with much money, hoping to repay themselves anon.

**RULES OF EVIDENCE.** We meet with the following statement of a case which, no matter what may be the rule, we think involves cases of much delicacy—and especially with regard to the clergymen of the most numerous Christian sect in the world, before whom confessions, (made in a perfect assurance that the facts stated will not be revealed), oftentimes lead to a redress of

wrongs committed. But we do not intend to make an argument on the subject, or reason on the right of clergymen to an exemption from the operation of those laws which govern other men.

In the course of the examination before the grand jury at Boston, in relation to the late duel, two clergymen, *Dr. Channing* and *Mr. Gannett*, were summoned to testify. They both declined answering, on the ground that their knowledge was obtained as ministers of the gospel, and that communications made by a parishioner to his spiritual guide are sacred, and ought not to be disclosed. On a report of this refusal, they were summoned before the municipal court, for the opinion of the judge in the case. *Dr. Channing* waived his objection, considering, upon further reflection, that what had been told to him was more as a personal friend than as a spiritual adviser, and that he could not, therefore, as a citizen, withhold it. *Mr. Gannett* adhered to his view, but only prayed the court to excuse him, under the circumstances, from testifying. The judge informed him that the law makes no distinction of persons, and that clergymen have no right, as such, to an exemption from the ordinary rules of evidence. *Mr. Gannett* acquiesced.

**U. S. COURTS OF LAW.** The *Newburyport Herald* says—The *New York Journal of Commerce* complains of the monstrous expenses attending suits at law in the United States courts. Well it may. We have a short story in point:

Recently two fishing craft were conducted and sold in this district, but under no peculiar circumstances of expense. The gross proceeds, arising from the sale of the vessel, were \$106; the expenses attending the condemnation and sale, three hundred and thirty eight!!

We have not the least doubt that circumstances such as those above detailed, are of no uncommon occurrence, and require the intervention of congress to correct oppressive exactions which only go to swell the gains of the rewarded. The emoluments of some of the official appendages of the courts and the custom houses are almost incredible, whilst, we are well aware, there are in some districts officers of both descriptions who are but meanly compensated. It is said, that in some of the districts the office of United States attorney for the district, brings in twenty or twenty-five thousand dollars a year, being four times the annual salary of the chief justice of the United States, or of either of the heads of department. If it be so, the case involves both oppression and corruption, and requires reformation. Be it so or not, the excessive costs of suits by the United States, are among the abuses which require investigation at the hands of congress. [Nat. Int.]

**SURVEYS FOR INTERNAL IMPROVEMENTS.** When the appropriation for this purpose was under discussion in the house of representatives, the following remarks were made by *Mr. J. Q. Adams*:

"Congress has long continued to make appropriations of large amounts of money for works which were proper, and highly useful in themselves, and which were within its competency as works of a national character. A portion of the country had been examined with a view to such objects. But was there a single locality, ten miles square, in our whole domain, which was not susceptible of some improvement? How was this to be known but from surveys? Those who considered this as an improper appropriation, ought to resist the annual bill which was introduced into the house for works of internal improvement; in which works, he thanked God, that the nation still spent millions every year, in spite of all theories. Was it not a sacred duty to apply the wealth and means of the country in rendering this country a more fit residence for our posterity? Every dollar thus expended was a debt laid upon posterity, and would be by them duly appreciated. Had not the God of Heaven given us our country to be improved, and what was the tendency of the contrary system? It led us back to the savage state! It brought back our population to the state of the hunter. He it was that was the greatest adversary of internal improvements."

**MADAWASKA.** From the *Boston Courier*. The people living in the disputed territory, are, it appears in rather a singular position, belonging to no nation and yet claimed by two. Under such circumstances they had better "take the responsibility" of setting up for themselves, or remove themselves and their deposits to some other place. The following is from the *Kennebec Journal*.

*Madawaska.* We learn that the inhabitants of *Madawaska* have been taxed by the British government, and the tax has been collected with much rigor, that the British hold undisturbed possession and have built a court house; that the inhabitants are suffering much from want, their crops having been scanty the last season. As the town had been incorporated by the Legislature of Maine, and the inhabitants assured of the protection of the United States, they prepared a memorial to our government asking assistance and protection, which was signed by a number, but subsequently seized and destroyed by the British authorities. They have, however, sent on a delegate to see governor *Dunlap*, and ask the assistance of the state. This delegate we learn has been to *Brunswick*, where the governor now is, and obtained an order on the treasurer for a small sum of money. The authority of the governor to do this may be questioned, but we are not inclined to urge that point in this case. We have

not seen the delegate, but gather the foregoing statement from those who conversed with him. We were told many years ago that if gen. Jackson could be elected president we should soon have our territory secured; but instead of this we first find him requesting the governor of New Brunswick to pardon and release from prison, upon condition of *not repeating the offence against his British majesty*, certain persons of Madawaska who had been guilty of the heinous crime of proceeding to incorporate the town in pursuance of a special law of the state of Maine. Next we find him trying to get the Dutchman's award accepted; and this being stopped by the senate, we have another decree requiring the legislature of Maine to bargain away the territory for "an ample indemnity" in land or money, in secret session; and now we find the British government taxing the inhabitants and using his full authority as over any part of New Brunswick; while our government, state and national, looks on with apparent unconcern.

**BARBARISM.** There were confined, in a room 14 by 16 feet square, in the jail in this city, on one of the hottest days of last week, 13 persons committed for the crime of not being able to pay their debts. The whole number confined in jail for debt, on Friday last, was 33. The number imprisoned for crime under sentence of the law, or committed for trial is 28, all of whom are confined in eight small cells. The whole number confined for debt and crime is 61, among whom are four colored persons. These facts need no commentary.

[Providence Journal.]

**AMERICAN PRESIDENTS.** George Washington was born 22d February 1732. He lived at Mount Vernon, Fairfax county, Virginia; was elected president of the United States in 1789 at the age of 57 years, and died December 14th, 1799, 67 years of age.

John Adams was born 16th October, 1735. He lived at Quincy, Norfolk county, Massachusetts; was elected president of the United States in 1797, at the age 62; and died July 4th, 1826, at 6 o'clock P. M. almost 90 years of age.

Thomas Jefferson was born in Chesterfield county, 2d April, 1743. He lived at Monticello, Albemarle county, Virginia, was elected president of the United States in 1801, at the age of 58 years, and died on the 4th July, 1826, at 1 o'clock, P. M. He was 85 years of age.

James Madison was born 1756. He lived at Montpelier, Orange county, Virginia, was elected president of the United States in 1809, at the age of 53 years. He still lives in the enjoyment of good health, at Montpelier, in the 78th year of his age.

James Monroe was born 1758. He lived in London county, Virginia, was elected president of the United States in 1817, aged 59. He died in New York, July 4th, 1831, at the age of 73.

John Quincy Adams was born July 11, 1767. He lives at Quincy, Norfolk county, Massachusetts; was elected president of the United States, 9th February, 1825, by the house of representatives, at the age of 58 years.

Andrew Jackson was born in South Carolina, in 1767. He lived in Nashville, Tennessee, was elected president of the U. States in 1828, at the age of 61 and re-elected 1832.

**BOSTON, JUNE 25.** We believe there were never so many of our national vessels at any one navy yard, as there are at the present moment at Charlestown. Here are no less than four 74s, three frigates, and two sloops of war. The Vermont and Virginia 74s, together with the Cumberland frigate, under cover on the stocks; the Columbus and Independence 74s, together with the Boston sloop of war, under cover at the wharf or in the stream; the Potomac frigate, recently arrived, dismantling and about to be taken into dock; Old Ironsides, just out of dock, rebuilt and refitting; and the Erie sloop of war, captain Percival, preparing for a cruise, and nearly ready for sea, in the stream. The three vessels have been upon the stocks from eight and ten to a dozen years, one of them perhaps longer; are in excellent preservation, and might all, probably, in case of need, be launched in sixty or ninety days. The 74s are pierced for 102 guns. The Potomac and Cumberland frigates for 62, and Old Ironsides for 54—this is the only difference between them, arising from the two former having four guns more on each side in their waist; neither of the frigates, however, in these "piping times of peace," carry more than 50 guns. The Boston sloop of war is of the largest class, mounting 24 medium guns. The Erie mounts 22. These nine vessels are pierced for, and capable of mounting, upwards of 600, guns, it being equal or nearly equal to one quarter part of our whole navy [Gazette.]

**STATISTICS.** The army of the United States, as now constituted, consists of dragoons 363; artillery 1,778; infantry 3,225; unattached soldiers and recruits 678—total 6,034.

Militia, according to late returns, 1,343,116.

**Navy.** Vessels in commission, 1 ship of the line, 3 frigates, 15 sloops of war and 6 schooners. In ordinary 6 ships of the line, 6 frigates. At the different depots, have been delivered frames of live oak for four ships of this line, 7 frigates and 4 sloops. Contracts have been made for the frames of 1 ship of the line and 1 sloop of war.

**VALLEY FORGE.** We took a glance, a few days since, at Valley Forge. It is an interesting spot. What with the remains of the ancient fortification on the hill top—the charming view, from that elevation, of the smooth, winding Schuylkill—

the neat farm houses—the fields ripening to the harvest—the towering hills rising in the distance, and the little village with its factories just at hand below—all combine to afford one of the richest landscapes in our picturesque country.

But the factories. Alas! the stillness of death reigns there. The murmuring of the water as it runs to waste over the dam, is all that remains to greet the ear, which was formerly almost stunned by the clang of the forge hammer—the rattling of looms—the whizz of ten thousand spindles, and the whistle and song of the artisan as he plied his daily task. The factories are all stopped—the hands are dispersed; and have been compelled to waulder to and fro, to find work, or to beg, or steal, to support existence.

This derangement of business, even if speedily resumed, is attended with very serious loss, both to the employer and the employed—besides the gloom and anxiety consequent upon the breaking up and dispersion of large families of poor operatives. But there is no prospect that business will be speedily resumed. The contemplation of the future is no less gloomy than the present.

Such are some of the fruits of the mad "experiment."  
[West Chester Whig.]

**SOCIAL INTERCOURSE.** We should make it a principle to extend the hand of fellowship to every man who discharges faithfully his duties and maintains good order—who manifests a deep interest in the welfare of general society—whose deportment is upright, and whose mind is intelligent, without stopping to ascertain whether he swings a hammer or draws a thread. There is nothing so distant from all natural rule and natural claim as the reluctant, the backward sympathy—the forced smile—the checked conversation—the hesitating compliance—the well-off are too apt to manifest to those a little down; with whom, in comparison of intellect and principles of virtue, they frequently sink into insignificance.

[Daniel Webster.]

**A BALTIMORE CLIPPER.** The most remarkable instance of rapid sailing recorded, is probably the case of the brig John Gilpin, of Baltimore, a thorough clipper of course, which vessel left Baltimore about two years since, and arrived in Batavia after a passage of 82 days—proceeded from thence to Canton in 11 days—from Canton to Manila in 5 days—from Manila through the straits of Sunda, round south of New Holland, to latitude 48 or 50 degrees to Valparaiso, in 85 days—and from Valparaiso to Lima, in 6 days and 17 hours—making an aggregate distance of 34,920 miles in 189 days 17 hours—averaging a fraction more than one hundred and eighty three miles per day. We have the above from an authentic source and incredible as it may appear, it may be relied on as correct. [Bost. Jour.]

**CANADA.** Number of emigrants arrived since the opening of the navigation this year to the 11th July, at noon:—

From England.....	4,869
" Ireland.....	15,213
" Scotland.....	1,771
" Lower Ports.....	214

Total, 22,067

Number arrived to corresponding date last year.... 13,594

Excess, 8,473

**POPULATION OF GREAT BRITAIN.** There has just been printed in two volumes folio, an "Enumeration Abstract" of the population of Great Britain for 1831, made from the returns and answers forwarded from each parish in England and Scotland, pursuant to an act of parliament.

Population of England and Wales, from the year 1700 to the year 1830, including the army and navy, and merchant seamen.

1700—5,134,516	1750—6,029,648	1800—9,187,176
1710—5,066,337	1770—7,227,586	1810—10,407,556
1720—5,345,351	1780—7,814,827	1820—11,957,565
1730—5,687,993	1790—8,540,738	1830—13,840,851
1740—5,829,705		

The population of Ireland amounted July 7, 767,401.

The increase of Great Britain since 1801, has always been about one and a half per cent. per annum.

The comparative proportion of families stands as follows in centesimal parts.

	Agriculture.	Trade, &c.	Others.	Total.
Great Britain	{ 1811—35	44	21	100
	{ 1821—33	46	31	100
	{ 1831—38	42	30	100

Thus trade and manufactures appear to have somewhat increased between 1811 and 1821, agriculture to have somewhat declined; but between 1821 and 1831, the proportion of families employed in trade receded from 46 to 42 per cent. and the agricultural population from 33 to 28 per cent.

Summary of Great Britain.

	1801	1811	1821	1831
England,	8,331,034	9,551,588	11,261,437	13,191,003
Wales,	541,546	611,788	717,438	806,182
Scotland,	1,509,051	1,805,588	2,093,450	2,365,114
Army, navy,	470,598	640,530	319,300	277,017
	10,852,229	12,609,864	14,391,631	16,539,318

**NATIONAL DEBT OF GREAT BRITAIN.** The national debt of Great Britain in March, 1834, amounted to seven hundred and seventy-nine millions, five hundred and sixty-five thousand, seven hundred and eighty-three pounds sterling—which sum in Spanish dollars amounts to three thousand, four hundred and sixty-four millions, seven hundred and thirty-six thousand, seven hundred and two dollars and twenty-two cents.

Viz:

Funded debt,.....	£751,658,883
Unfunded debt,.....	27,906,900
	£779,565,783
Charges on funded debt,.....	27,782,116
Charges on unfunded debt,.....	779,769

£808,127,668

The decrease in the debt between the years 1815 and 1834, amounts to sixty-four millions, six hundred and fifty-three thousand, and fifty-seven pounds sterling.

The Baltimore American observes.—The taxation of Great Britain for 1833, we have not seen stated, but for 1832,—of which official accounts have been published,—it amounted to £51,504,912—about two hundred and seventeen millions of dollars.

According to the average prices of wheat and gold for that year, the equivalent for this amount of taxation, in those media, was 13,227,580 ounces of gold, or 17,538,492 quarters of wheat.

A comparison of these several values with their corresponding items in the years of higher nominal taxation—during the wars with Napoleon—will furnish some data for interesting speculation to political economists. It will be shown that when the money rate of taxation was at the highest, the equivalents in gold and wheat did not increase in proportion, but sometimes were actually less than at the present time of peace.—In the great war year of 1812, the annual taxation was nominally £71,056,590—nearly a hundred millions of dollars more than during the year 1832. The equivalents in gold were 12,343,941 ounces, and in quarters of wheat 11,585,297, showing an increase of only 126,000 ounces of gold for £29,000,000 sterling, and an actual decrease of nearly six millions of quarters of wheat.

These items are worthy of study as parts of the history of the all absorbing question of the currency.

**SPAIN.** At Madrid affairs were by no means tranquil. The courts of Vienna and Berlin are indignant at the queen for having sent an army into Portugal. The cortes is to assemble on the 24th of July. The Carlists continue engaged in hostilities to the government. Zumalacaraguy, their general, is represented as a man of ferocious temper. Colonel O'Donnell, the son of the count D'Abisal, having fallen into his hands, the following is given as the dialogue which occurred between him and the Carlist general's aid de camp, before his execution:

"Aid de camp: My general desires me to offer you not only quarter, but a continuation of your present rank with a certain command, if you will swear fidelity to the king, Don Carlos V.

O'Donnell: I cannot be a traitor to my honor, I have sworn fidelity to the queen, as well as to the nation represented by the cortes. I have no other sovereign than those.

"Aid de camp: Reflect well on what you say, colonel—the death of an officer like yourself will be painful.

O'Donnell: To die for my country, is to die for immortality.

"Aid de camp: And what shall I say to my general?

O'Donnell: That I will give a certain sum of money for my release, but if that release is to be effected at the cost of a perjured oath, I would rather die a thousand times than take it.

"In consequence of this obstinacy, O'Donnell was ordered to be shot. He marched with calmness and serenity to the ground, exhorting the soldiers who were to suffer death with him to bear their fate like men, and exclaimed at the moment the word 'fire' was given—"We die in defence of the queen and the rights of the nation."

**POLAND UNDER RUSSIA.** The following passage from a work entitled "Poland under the dominion of Russia," written by a German in the Russo-Polish service at Warsaw, and lately reprinted here with notes and introductory matter by J. S. Szymanski, will give the reader some idea of the cruel tyranny against which the Poles revolted. It may be added that the interesting work above mentioned contains many other scarcely less atrocious examples of the barbarity of the monster, in whose hands the absolute power was left in defiance of the most solemn stipulations on the part of the Russian government.

The officers as well as sub-officers of the Russian horse guards are subjected to the most rigorous discipline, and are requested to execute on horseback, all the manœuvres of a theatrical equestrian.

One day an officer of the lancer guard was going through his exercise before the grand duke. He had performed all the usual evolutions in the most satisfactory way, until at full gallop he was suddenly ordered to turn—his horse proved reticent and refused to obey either bridle or spur.

The command was repeated in a thundering voice, and the officer renewed his efforts to make the horse obey it; but without effect, for the fiery animal continued to prance about in defiance of his rider, who was nevertheless an excellent horseman.

The rage of the grand duke had vented itself in furious imprecations, and all present trembled for the consequences. Halt, he exclaimed, and ordered a pyramid of twelve muskets with fixed bayonets, to be erected. The order was instantly obeyed.

The officer, who had by this time subdued the restiveness of his horse, was ordered to leap the pyramid—and the spirited horse bore his rider safely over it.

Without an interval of delay, the officer was commanded to repeat the fearful leap, and to the amazement of all present, the noble horse and his brave rider stood in safety on the other side of the pyramid.

The grand duke, exasperated at finding himself thus thwarted in his barbarous purpose, repeated the order for a third time. A general, who happened to be present, now stepped forward and interceded for the pardon of the officer, observing that the horse was exhausted, and that the enforcement of the order would be to doom both horse and rider to a horrible death.

This humane remonstrance was not only disregarded, but was punished by the immediate arrest of the general who had thus presumed to rebel.

The word of command was given, and horse and rider for the third time cleared the glittering bayonets.

Rendered furious, by these repeated disappointments, the grand duke exclaimed for the fourth time—"To the left about!—forward!" The command was obeyed, and the fourth time the horse leaped the pyramid, and then with his rider, dropped down exhausted.

The officer extricated himself from the saddle, and rose unhurt, but the horse had both his fore legs broken.

The countenance of the officer was deadly pale, his eyes stared wildly, and his knees shook under him.

A deadly silence prevailed as he advanced to the grand duke; and laying his sword at his highness' feet, he thanked him, in a faltering voice, for the honor he enjoyed in the emperor's service.

"I take back your sword," said the grand duke, "and are you not aware of what may be the consequence of this unfruitful conduct towards me?"

The officer was sent to the guard house. He subsequently disappeared, and no trace of him could be discovered.

This scene took place at St. Petersburg, and the facts are proved by the evidence of credible eye witnesses.\*

**SHEET IRON GIGS.** These gigs are continuing to grow as rapidly numerous as they are increasing in public estimation. A very beautifully fitted up one was this week finished by Messrs. Reid and Hanna, and Messrs. Walker, for the Paisley canal. Two others are in a state of great forwardness for Dublin; and several others, for various canals, are also in preparation. This business of gig making has extended to Johnstone, also, where there are six or seven of them getting forward for various canals both in Ireland and Scotland. Steam coaches will find in these gigs most powerful competitors to contend with. The increase of trade on all the canals on which they have been introduced is astonishing. The bustle at the basin here and at port Englington by the hourly departure is quite enlivening, and we understand the travelling by the Forth and Clyde canal is increasing in a most astonishing degree. Indeed, from the speed they have attained, and the low price charged to Edinburgh, Stirling, Alloa, &c. no other result can be expected. [Paisley Adv.

**THE EARTH.** In a recent and able memoir on the thermometrical state of the globe, M. Arago maintains these propositions. 1st. The earth was at one time fluid. 2d. The cause of that fluidity was fire. 3d. At the origin of all things, the earth was probably incandescent, and even now contains a large portion of its primitive heat. 4th. In two thousand years, the general temperature of the mass of the earth has not cooled the tenth part of a degree, and the demonstration of this proposition is derived from the orbit of the moon. Arago contends that the surface of the globe has cooled down to such an extent as scarcely to preserve a trace of its primitive temperature, though it is true that, at certain depths, the original heat is still prodigious. At the surface all the changes are reduced in almost the one-thirtieth part of a degree. [Nat. Gaz.

## FOREIGN NEWS.

From London papers to the 23rd and Liverpool to the 24th June, both inclusive.

### GREAT BRITAIN AND IRELAND.

It is evident, as we have stated before, that a deep determination exists on the part of a very large and influential party in England to reduce the revenues of the church of England, and not a few disposed to sever the connection between church and

\*An anecdote within our knowledge will exemplify this. Constantine one day on parade, for some freak of fancy, ordered a cavalry officer to advance in full charge upon the spot where he himself was standing; the officer obeyed, and putting spurs to his horse, galloped full upon the grand duke, and drew up his horse only a yard from his person; "Why do you stop without my orders!" thundered out the duke; "I arrest you for disobedience; away with him to the guard house!" A week's imprisonment was the man's reward for having restrained from trampling this reptile under his horse's feet.

state. Earl Grey, it is true, is pledged to sustain it, and will doubtless do so as long as he can; but ever since the repeal of the test oath in 1828, the tories have been growing weaker, whilst on the other hand every succeeding day has added new strength to the liberal party.

A bill had passed parliament by a majority of 174, to authorise dissenters to receive university honors.

Don Carlos, his family and suite who arrived on the 18th June and landed at Portsmouth in a yacht, which had been despatched from his majesty's ship the Donegal, to receive him. And Earl Grey had intimated the intention of government to receive and treat him while he remained there as a prince of the blood of Spain.

A public dinner was to have been given to the patriot general Mina, in London, on the 25th June, in anticipation of his return to Spain, where it is understood he will occupy an important post under government. Joseph Bonaparte had requested that his name might be added to the committee on the subject.

The John Bull severely censures lord Palmerston for recognising the American charge des affaires, in place of a minister plenipotentiary. It views the reception of an inferior grade to that of their minister in this country as an indignity, and concludes, it is thus that the "empire is to go to rack and ruin."

A tremendous hail storm had passed over Brighton and its vicinity; upwards of 700 panes of glass were demolished in the king's palace and 500 in the stables. The damage to glass in the dome alone was estimated at from 3 to £4,000.

Charles X it is said has sent to Don Carlos a check on a London banker for a million of francs, (£40,000).

Mr. Spring Rice, the new colonial secretary, having, of course, resigned his seat in parliament on coming into the ministry, has been returned again from Cambridge; but by a very small majority, although every effort was made by the friends of the ministry and his success was considered of vital importance to them. The present position of ministers is considered weak, and the tenure by which they hold office, the unwillingness of others to take their places.

Considerable business had been done in cloths, but at losing prices.

The cholera has made its appearance in Dublin and its vicinity, the neighborhood of Kingston and Black Rock, Ireland.

The total number of persons who have emigrated from the north of Ireland, at Londonderry, this season, to America, is 6,054, and it was supposed that a thousand more would be added to that number during the season.

A very interesting despatch had been received from captain Back, of the arctic land expedition, dated at Fort Reliance, situated in latitude 62 deg. 48 min. 15 sec. N. and longitude 109 deg. 10 min. W.; the variation of the needle being 25 deg. 41 min. E.; at which place he had fixed his winter quarters.

## FRANCE.

The elections in Paris were going on and hopes were entertained that M. Lafitte, Salverte, Chardel, Barrot and other liberals would be returned to the chambers.

The *Moniteur* contained a royal ordinance, by which 30,000 men are called into active service, as authorised by the law of May last.

M. St. Amand, editor of the *Progressif de l'Aube*, had been condemned to three months imprisonment and a fine of 2,000 francs, for an article instigating the people to overthrow and change the government.

## SPAIN.

Considerable alarm prevailed at Madrid on the 11th June, in consequence of the supposed near approach of the cholera, and the court and the ministers were flocking in from Aranjuez, as it is intended to include that site within the line beyond which communication with the capital is to be suspended.

A Mr. Delaval has been appointed Spanish charge d'affaires to the emperor of Brazil.

The Russian ambassador was about to quit Madrid to return to his sovereign; so that after his departure neither of the three northern powers will be represented at the court of Madrid.

Baron Rothschild had advanced 20 millions of francs as a loan to the Spanish government, and he was to be honored with the title of royal banker to the queen of Spain.

## PORTUGAL.

The articles of capitulation between the commanders of the Pedroite and Miguel forces, requiring that Don Miguel should send to the head quarters of Don Pedro, a declaration that he would never interfere directly or indirectly with the public affairs of Portugal and its dominions, and also the name of a person (or persons) charged to deliver up the jewels of the crown and valuables belonging to the public treasury, or of private persons and corporations, which were in the possession of Don Miguel, the following notes were received in reply:

To satisfy the demands of the above marshals, the duke of Terceira and Conde de Saldanha, in the name of the government I declare that: I will never interfere, directly or indirectly, in the political affairs of these kingdoms and their dominions.

MIGUEL.

Palace of Evora, May 29.

Confiding in the zeal, ability and good services of Jose Luiz de Rocha, I appoint him procurator of my household and of all my personal property, giving him the most ample powers, and ordering to separate from the jewels belonging to it those which appertain to the crown of these kingdoms, that they may be delivered up as has been determined.

Evora, May 27.

MIGUEL.

The amnesty granted by the government, which we published in page 351, produced a very disagreeable sensation among the unthinking part of the community, which was fed in a variety of ways by a few disappointed placemen, who thought it was a capital opportunity to oust the present ministry and get into their places. It is but too true, however, that about 32 deluded beings, seduced by four individuals, attempted to disturb the harmony and unanimous patriotic feeling which prevailed at the opera on the evening of the 27th, when the queen, the regent, and the duchess of Braganza had gone in state to the royal box, by crying out "Death to Don Miguel—death to the usurper!" upon which Don Pedro got up and addressed the audience to the following effect: "Gentlemen, it is not right that the quiet enjoyment of this respectable assemblage should be disturbed by such a rabble, to whom I say, respect the laws, or they will make you respect them!" at the conclusion of this the whole house cried out, amidst the wavings of handkerchiefs, "Long live the emperor," "Long live the liberator of the country!" The performance went on, and the house was perfectly quiet, but when the royal family got into their carriage, about 24 out of the 32 rioters cried out as it passed along, "Death to Don Miguel," "No amnesty," "Down with the ministers!"

During 10 minutes after this time, M. Silva Carvalho, the minister, kept walking up and down the entrance hall of the theatre in the midst of all the people, and unattended, without any one saying a single thing: he then got into his carriage, and then the same number of about 23 or 24 went after him crying "Death to Silva Carvalho!" upon which he immediately ordered his driver to stop, and addressed them thus—"I am Jose da Silva Carvalho, what do you want of me—speak out!" but the fellows were so overwaved by it, that they all sneaked off, and he continued to go on. Of course nothing more has been heard of this business, and things continue as quiet as they were heretofore, from which it is inferred that the rioters did not find the public feeling as they expected.

Don Miguel was to have embarked at Sines on the 1st June. He was accompanied by 48 individuals, who are said, for the most part, to be a set of men whose acts of cruelty could not escape the popular fury if they were to be met in the streets. These it is supposed will be abandoned by Don Miguel who will keep the sum allowed him by the government for his own use.

The following decree abolishing convents, monasteries, &c. was promulgated from the royal palace on the 28th May:

Art. 1. All convents, monasteries, colleges, hospices, establishments whatsoever of monks of the regular orders in Portugal, Algarves, the adjacent islands and Portuguese dominions, whatever may be their denomination, institution, and rules, are henceforth extinguished.

I. All the estates of these convents, &c., are incorporated with the national domains.

II. The sacred utensils and ornaments employed in the divine service are placed at the disposal of the respective ordinaries; to be distributed, among the churches of their dioceses which have most need of them.

IV. Each of the monks of the suppressed convents, &c. shall receive an annual pension for his support, unless he receive an equal or greater income from a benefice or public employment. The following are excepted:—

(a) Those who took up arms against the legitimate throne, or against the national liberty.

(b) Those who abused their ministry, in the confessional or the pulpit, in favor of the usurpation.

(c) Those who accepted benefices or public employments from the government of the usurper.

(d) Those who denounced or directly persecuted their fellow citizens for their fidelity to the legitimate throne and the constitutional charter.

(e) Those who accompanied the troops of the usurper.

(f) Those who on the re-establishment of the authority of the queen, or since, in the districts in which they resided, abandoned their convents, monasteries, &c.

V. All laws and ordinances to the contrary are abolished. The minister of ecclesiastical affairs and justice is charged with the execution of this decree.

Don PEDRO, Duke of Braganza,  
JOAQUIM ANTONIO D'AGUIAR.

Palace das Necessidades, May 28.

## BELGIUM.

Jerome Bonaparte, who has been for some time past residing at Brussels, has recently been officially given to understand that his residence in that capital is no longer expedient.

## NEW SOUTH WALES.

Sydney papers had been received at London to the 8th February. 8,000 persons had arrived at the colony during the past year, of which 2,500 were free emigrants. Disorder and riot continued among the convict population, 17 of whom were awaiting their trials for murder. The population of the colony was 91,000, that of Sydney 16,000. Total revenue to the crown last year £164,000.

## STILL LATER.

From London papers to the 24th June and French papers to the 25th, inclusive.

## GREAT BRITAIN AND IRELAND.

A great meeting of the Protestants of Ireland was to have been held in Dublin in the first week of July, for the purpose of

\*The word "Protestant," as used in Ireland, means only the members of the church of England.

taking the state of the church into consideration. The meeting, says the notice calling it, "will be attended with circumstances of such a character as must insure the attendance of gentlemen of the most remote provinces in the kingdom; that subjects will be discussed and resolutions adopted, sentiments uttered and speakers present themselves calculated to inspire hope," &c.

Disturbances still continue in Ireland. At Clonmel the Clogheen carts, laden with flour, were a second time attacked, and ten sacks forcibly taken away, near the turnpike gate, in the county of Waterford. The military and police went immediately to the scene of attack, and returned with the gate keeper in custody, having found a part of the flour in the gate house.

## FRANCE.

The elections had terminated, and, so far as results are known, highly favorable to the royal party. Of 330 deputies elected, 270 are in favor of the reigning administration.

The duchess of Herri has renounced the guardianship of her children, on the requisition of Charles X.

Of the 54,000,000 hectares, contained in the entire superficies of France, 14,500,000 are sown with corn of different kinds, making, upon an average, one acre for each inhabitant. The average produce of the whole is 107,371,000 hectolitres; after deducting the grain used for distilleries, for the food of domestic animals, and what is lost in being conveyed from one place to another, or destroyed by insects, fermentation and other accidents, 162 killogrammes of alimentary matter, equal to one pound of bread a day, remains for each inhabitant. But as, in this calculation, there are only sixty-two killogrammes of wheat, it results that France does not grow a sufficiency of this grain for all her inhabitants, who are consequently obliged to supply the deficiency with other grain.

The court of peers, since its creation, has issued upwards of 400 warrants of arrest. There have been 950 arrests in Paris and the Banlieue, and between 1,150 and 1,200 in Lyons, since the late insurrection. All the prisons of the latter place are full.

A Dantzig timber merchant is gone to Poland, to purchase large quantities of timber. Orders have been received for 2,000 wooden houses to be taken to pieces and embarked at Dantzig for Toulon, and thence to Algiers, to be employed in building a new town or suburb. The entire stock of zinc here, (Berlin), even that which has just arrived, has been bought up at a high price for the Russian government.



## ITEMS.

Mr. Caldwell, who had undertaken to supply the city of New Orleans with gas, has already laid upwards of two miles of pipes. The tank or gasholder, now in the course of construction, is said to be a most extraordinary work. It is of cast iron, and measures 5 feet in diameter. It will contain 147,000 gallons of water. It is supposed that the manufacture of gas for the city of New Orleans alone, will consume annually 300,000 barrels of Pittsburgh coal.

The national debt of Great Britain amounted, in March of the present year, to £779,565,783—equal to 3,464,736,702 dollars.

An official list of steamboats on the western waters, on the 1st January, 1834, gives the whole number at 234, whose aggregate amount of tonnage is equal to 39,000 tons; they have cost three millions of dollars. The total yearly expense of running them is four millions and a half. Sixty-six boats went out of service during 1831, '32 and '33—of these, 15 were abandoned as unfit for service; 7 were lost by ice; 15 were burnt; 24 snagged; and 5 destroyed by being struck by other boats: thus 51 were lost by accidents. The investment in these boats is now decidedly unprofitable; the business is over-done, and though of incalculable advantage to the valley of the Mississippi, they are too often the ruin of their owners. [*Moore's Price Current.*]

The Ohio company for importing cattle, have made some valuable purchases in England, especially of the Durham and Yorkshire breeds. For one animal, 150 guineas was paid.

The Boston Transcript says—"We present our readers with an instructive table of causes of fires for the last five years: Candles carelessly used, 16; incineraries, 50; stoves, funnels and furnaces, 19; fire carelessly left, 16; unknown, &c. 115; ashes in wooden vessels, 12; sparks from chimneys on wooden buildings, 43; defective chimneys and hearths, 33; boiling over of oil, spirits, tar, &c. 17; spontaneous combustion, 10; tinder box, 1; friction on machinery, 1; hot blower put in closet, 1—total, 334; false alarms, 200. Whole number of turn outs during the same time, 531; fires out of the city, 68; loss in the city \$117,390, insured, \$117,588."

By an official return, made to the government of Sweden, by commissioners appointed for the purpose, it was found that there were 170,000 distillers in the kingdom; that the ardent spirit made by them, amounted to 45,000,000 gallons, consumed by about 3,000,000 of people, equal to fifteen gallons to each man, woman and child in the nation. The report states that unless immediate steps be taken to stay the evil, the nation must be destroyed.

Died, in Rowan county, N. C. Mr. Henry Sleighter, a native of Hesse Cassel, Germany, 83. There were two striking peculiarities about him. He never had but one tooth, and had no perspiratory organs. The first deficiency exempted him from the tooth ache, and the latter from frequent catarrhal affections.

But in very warm weather, the inability to sweat, compelled him to resort to frequent effusions of cold water, in order to get rid of that heat which, in all other men, is carried off by perspiration.

A company (says the Baltimore American) has been organized and is actively engaged in making the necessary preparations to establish a paper manufactory in South Carolina. The stock had all been sold, and an agent appointed to purchase, at the north, the necessary machinery. The buildings were erected immediately, and it is expected that every thing will be ready to commence work in the course of five months.

The site is about sixteen miles from Augusta, in Edgefield district (S. C.) at a place called Vauchuse, where there is also in progress a cotton manufactory upon a large scale, which will soon be in operation. The Charleston and Hamburg rail road passes near the spot, and most of the rail roads in Georgia and South Carolina, in progress or projected, point in that direction. The attention of the people has recently been actively turned towards developing the resources of the country by internal improvements, and employing the valuable water power which it contains, for manufacturing purposes. They have shown a very laudable spirit of enterprise and perseverance that deserves ample success.

Some gentlemen recently called to see Mr. Pew, of Gloucester, Mass. who will be 102 years of age on the 3d of August just, but were disappointed, as he was engaged in hoeing some distance from home!

On the 17th June, the young men of Ipswich, (Mass.) gave a collation, at Treadwell's hotel, to the surviving soldiers of the revolution, resident in that town. The following are the names and ages of those present, viz:

Jabez Farley 80, John How Boardman, 80, Abraham Perkins 87, Solomon Colman 84, William Kinsman 81, Sam<sup>l</sup> Lancaster 77, Jeremiah Ross 79, Nathaniel Treadwell 84. [The above were in the battle of Bunker Hill; the following in various other battles:] William Rutherford 78, Nathaniel Heard 70, Henry Russell 76, Ebenezer Lord 94, Benjamin Glazier 71, Nathan Fellows 91, major Woodbury 76, John Burnham 79, William F. Andrews 72, Lemuel Pearson 71, Daniel Smith 79, Thomas Spiller 78, Moses Caldwell 82, John O'Brien 88, Thomas Kimball 73, Nathaniel Fuller 74, Nathaniel Dutch 82, Daniel Ross 77, John Soward 93, Robert Loud 84, Aaron Lord 76.

There being present 3 over 90 years old, 9 over 80, and the youngest 70.

Besides the above, there are six other revolutionary veterans in town, the oldest being 82 years of age.

The dry rot appears to have made great ravages in the British navy—of 18 frigates built in 1814, the average duration was but three years. From 1823 to 1833, £9,000,000 was expended in repairing and building; and the Benbow, which cost £45,000, was broken up in consequence of the dry rot, in five years after she was first laid upon the stocks. She never went to sea. The rot does not appear to have the same effect in this country. The Pennsylvania, the largest vessel in the world, says the Pennsylvania Inquirer and Courier, has been nearly ready to launch at the Philadelphia navy yard, for about ten years, if we remember right, and her timbers are as sound at this moment, as they were at the time they were put together. Would it not be well for the English government to try a few Yankee frigates. We can furnish them at a moderate rate, and no doubt the shipwrights would be willing to insure them for ten or twenty years, or so.

A large number of vessels continued to be wrecked, and a vast amount of property is lost on the Florida reefs. East Florida, might, perhaps, be easily separated from the main land, if an entrance could be made from the gulf stream by a small canal—but what would become of it? Would it not be dispersed and deposited on the Bahama banks?

Very rich coal mines have been discovered in Greece; the working of them has been commenced. Two of the beds of the coal are near Cape Sounion, and the other in the vicinity of Gattini.

The "Washington Reporter" says—A copper coin, (a cent), was recently dug up in a garden in this place which bears a curious relation to a part of our American history. It has on one side a head of George III. and the words "Georgius III. Rex" around the edge. On the opposite side, are represented the coats of arms of England, Scotland, Ireland and Virginia quartered, and on the edge, are the word and figures "Virginia, 1773."

The following historical facts are here distinctly referred to. During the usurpation of Cromwell, the colony of Virginia refused to acknowledge his authority and declared itself independent. Shortly after finding that Cromwell threatened to send a fleet and army to reduce Virginia to subjection, and fearing the ability of this feeble state to withstand this force, sent over, in a small ship, a messenger to Charles II. then an exile at Breda in Flanders. Charles accepted the invitation to come over and be king of Virginia, and was on the eve of embarking for Virginia, when he was recalled to the throne of England. As soon as he was restored to the crown of England, in gratitude for the loyalty of Virginia, he caused her coat of arms, to be quartered with those of England, Scotland and Ireland, as an independent member of the empire. The above coin is



clearly confirmatory of these facts. Hence the origin of the phrase "Old Dominion" frequently applied to Virginia.

A. B.

MAGNIFICENT DONATION.

It is remembered, no doubt, by our readers, that Mr. Rich, formerly American consul at Malaga, and now proprietor of a large book establishment in London, was some time since applied to for a list of the principal public libraries in each state of the union. The object was to present to each, on the part of the British government, a splendid collection of volumes from the record commission at London. These works, valued at £300, and all in folio and bound, have arrived. We have been highly gratified with the inspection of those received by the New York Society Library, where the public may have an opportunity of seeing this literary curiosity on applying to Mr. Forbes, the librarian.

Among the works included in this munificent donation, are several very ancient records of such extreme rarity and value that they are seldom or never met with in circulation, though their titles and the general nature of their contents are familiar to most persons. Of these, the most curious, perhaps, is

1. The celebrated *Doomsday Book*, in 4 volumes, whose cognomen from its singularity every person almost has heard of. It is the greatest survey of all the estates and census of all the land-holders of England from feudal lord to *coloured* vassal, minutely particularizing the names of each and the inventory of their property. It was made by order of William the conqueror soon after his arrival, and was intended, no doubt, as a classification of his Saxon and Norman subjects, or rather a confirmation of titles to those whose estates were not confiscated, and a division among his Norman followers of such spoils as he had plundered. In this remarkable and antique book, the inhabitants of the United States, as most of us are of English descent, may trace out the early glimmerings of their genealogy and family pedigree—whether of Saxon, Danish or Norman extraction.

2. Rymer's *Fœdera*, 6 volumes, folio; as its name implies, comprises all the diplomacy and foreign relations of Great Britain from the time of the conquest, treaties, bulls, letters, &c. Rymer, the celebrated antiquarian, who collected these valuable materials and published them in the beginning of the last century, was distinguished among the men of letters of that time. He was permitted by the then king free access to all the public archives, &c.

- 3. The Statutes of Great Britain, in 9 volumes.
- 4. The Public Rolls, several volumes.
- 5. The Acts of Parliament of Scotland, in 11 volumes.
- 6. Writs of Chancery, in 5 volumes, including the reign of Elizabeth, &c.
- 7. Parliamentary Writs.
- 8. A large number of Church Records.
- 9. Catalogues in folio of the Harleian manuscripts and of the Cottonian and Lausdome collections; several volumes.

Our space will not permit us to enlarge upon the liberality of the motives which prompted to this truly magnificent acquisition. It reflects the highest honor on the British government. The New York Society Library, among its excellent and rare works, amounting to 22,000 volumes, possess in this association the most precious body of historical materials for reference and research which can be any where found within the same compass. Though not of any apparent obvious utility, their value as legal and ecclesiastical records and authentic historical data it is scarcely possible to estimate.

[N. Y. Com. Ad.]

GREAT BUILDINGS.

The following is a description, from the New York Courier, of the Astor Hotel, now erecting in Broadway.

We embrace this as a proper occasion to give some particulars of the plan of this immense edifice. Its site is on the westerly side of Broadway, opposite the southern extremity of the park—on which street its length will be 201 feet and 1 inch, i. e. the whole extent between the parallel streets, Barclay on the north, and Vesey on the south. In breadth it will reach westwardly on Barclay street, 146 feet six inches, and on Vesey, 154 feet. In the centre will be a court yard 105 feet long, by 76 broad. It will be six stories high, measuring 77 feet to the top of the cornice. The three fronts will be built entirely of blue Quincy granite. The lower story will be 12 feet high in the clear, and, excepting the large central entrance on Broadway, and a private entrance in each of the other fronts, will consist of stores. Those on Broadway will be 45 feet deep, extending back to, and receiving light in the rear from the courtyard. Those on the other streets will be only 28 feet deep—the space between them and the court yard being designed for baths and housekeepers' rooms. Back of the court yard, and completing the fourth side of the square, is a space of 105 feet in length, by about 21 in breadth, the two lower stories of which are to be converted into washing rooms, kitchens, &c.

According to the plan, the principal floor of the hotel is over the stores. The Broadway entrance is by a recess porch 37 feet wide, the floor of which is two feet above the street—the wall above being supported by two doric columns towards the centre, and two ante at the outside angles. From this porch a flight of steps of four feet, leads to the principal door opening into a vestibule, from which another flight of steps of eight feet on each side, leads to the entrance hall, which is 41 feet by 34,

and embellished with 8 marble ionic columns. Crossing this, is a long passage dividing lengthwise the whole extent of the Broadway building, and between which passage and front, the space is cut up into drawing rooms—those on the two corners being public, the one for ladies and the other for gentlemen. Back of the same passage are two spacious apartments of equal size, one on each side of the entrance hall—that on the north being intended for a bar room, and the other for a reading-room. Outside of, and adjacent to, these, as well as to the long passage above mentioned, are the two principle staircases leading to the top of the building. West of the north staircase, the whole area of the part fronting on Barelay street is designed for a dining room, being 100 feet long by 40 broad, lighted by windows on both sides, and calculated to dine 300 persons at once. The part fronting on Vesey street is divided lengthwise by a passage leading from the long passage through a series of private parlors and chambers, to a ladies' dining room, 46 feet by 34, in the south-west angle of the building.

The divisions of the upper stories will correspond generally with those of the second floor. The hotel will contain about 320 apartments in all—of which about 270 are designed for lodging rooms; and the remainder chiefly for parlors. The cost of the whole will probably be from two hundred and sixty, to three hundred thousand dollars.

*New York Custom House.* We perceive by the N. Y. Journal of Commerce, that preparations are being made for the erection of the New York Custom House on Wall, Pine and Nassau streets. It will be an immense building, every way worthy of the first commercial city on these shores. The following description of this magnificent edifice, that is to be, is from the Journal of Commerce:

It is to be 177 feet long, and 89 feet wide, and the form and order of the building to be similar to that of the Parthenon of Athens. It is to stand on a basement story, ascended by 19 steps from Wall street, and six steps on Pine street. There are to be eight Grecian doric columns at each front, and fifteen columns and ante on each side attached to the walls. There is also to be a second row of six smaller columns back of and parallel with the main front, leaving a space of ten feet between the two rows; and nine feet between the inner row and the front wall of the building. Back of the two extreme columns of the inner row there are to be two ante, and six ante attached to the walls of the rear front, leaving a space of eight feet and a half between the columns and the ante. There will thus be twenty-four outside columns, five feet eight inches diameter at the bottom, and thirty-two feet high, including the capital, and eighteen ante on the two sides, of the same height, five feet wide, and three feet nine inches projection from the wall. The six inner columns of the main front will be four feet eight inches diameter at bottom, and the ante to correspond. The building is to be two stories high, except the great business hall, part of which is to be vaulted as high as the roof will permit, and its centre finished with a dome sixty-two feet in diameter. This hall will occupy the centre of the building, and will be one hundred and fifteen feet long, leaving a small vestibule at each end to enter from. It is to be seventy-seven feet wide in the centre part, which is a circle of seventy feet diameter, with the length and breadth of the room extending beyond its circumference to these dimensions; and the four parts so extended beyond the circle are thirty-three and a half feet wide, leaving six rooms and three circular stair cases in the four corners, the two largest rooms to be twenty-four by twenty-one feet each, besides a square staircase in the rear, and three vaults for papers at the two ends of each vestibule. The same division of the room is made in the second story. Nearly all same number, shape, and sizes of rooms are had in the basement, as above in the other stories, leaving all the area of the same shape and size as the great hall immediately about it; with the addition of sixteen fluted doric columns to support the vaulting and the pavement under the dome of the great hall.

NANTUCKET—THE WHALE FISHERY.

Nantucket is entitled to the honor of being the birth place and cradle of the American whale fishery. Even before the island was colonized by the whites, this fishery was carried on by the aboriginal inhabitants. Whales in large numbers frequented the shoals by which the island is surrounded, and the natives with their bark canoes, and bone harpoons, pursued and took them. The white settlers, imitated their example; and the fishery was first carried on by boats, and was confined to the adjacent waters. The whales were unable to withstand the arts and activity of their new enemies, and at length deserted these shores. It then became necessary to pursue them to their new retreats. Already, before the commencement of the revolution the Nantucket whalers had doubled the Capes of Good Hope and Horn, and their daring navigation and adventurous spirit, drew from Burke that famous eulogium to be found in his speech on conciliation with America.

The business was almost ruined by the war. Many of those who had been engaged in it, took refuge in France, where they were patronised by the government, and where some of their descendants may still be found. After the peace, however, the fishery revived, and was prosecuted with good success—till a new war with Great Britain, again reduced it to the brink of ruin. After the peace, however, it revived again;—but the business was now divided and Nantucket found a rival in New

Bedford. Other towns have since entered upon the fishery—though Nantucket with all its disadvantages is still able to maintain the second rank. New Bedford has 175 whale ships, and Nantucket 75. New London—where the fishery has given a new impulse to business and industry—has forty ships, Sag Harbor, or Long Island, 20 or 30. Bristol, in Rhode Island, has 15 whale ships, Warren, about a dozen, and Newport, four or five. Some vessels have been fitted out, by emigrants from Nantucket, at Hudson and Poughkeepsie,—and the eastern towns Plymouth, Gloucester and Newburyport, have lately entered upon the business. There are, in the whole, 75,000 tons of American shipping engaged in this employment.

The whale fishery is divided into two distinct branches. One set of vessels pursue the *right* whale. These vessels are fitted out for a cruise of nine months, or a year. The right whale is found only upon soundings. The vessels which pursue him, first make for the Brazil banks—which resemble in some respects the banks of Newfoundland, and stretch, for a great extent, off the coast of Brazil. Then the whalers stand away for the Cape of Good Hope, and cruise in the Indian ocean and about the island of Madagascar. It is the right whale which furnishes the whalebone. The oil however is much less valuable, than that of the sperm whale; it is worth from six to ten dollars a barrel. It is hardly fit to burn, but is employed to oil machinery, &c. A large part of it is exported.

The ships which pursue the sperm whale, are fitted out for a three years cruise. The whale they take, is found only in deep water. After making the western islands, where they frequently find some game, they stretch away for Cape Horn and pursue their prey through the Pacific ocean. The oil of the sperm whale contains the substance called spermaceti—from which the spermaceti candles are made. The head matter, is particularly rich in this substance. The spermaceti pays for the process of manufacture, so that the oil as it comes from the whale is of about the same value with the same quantity of manufactured oil. It is worth from twenty to thirty dollars per barrel.

The decks of the whale ships are provided with great iron kettles set in brickwork, and the oil is separated from the blubber by heat, the scraps from which the oil has already been tried furnishing an excellent fuel.

For obvious reasons the crews receive no wages, but instead, they have what is called a *lay*—that is, a certain proportion of the oil. Those who are at the expense and risk of fitting out the vessel have of course the larger portion of the proceeds. The masters, mates and boat-steerers, have a share adequate to their skill and responsibility, the old whaler is paid for his experience, while the green hands draw a share proportionate to their services. On the whole a good deal depends on chance—but however profitable the whale fishery may be to those who furnish the capital and fit out the vessels, it does not appear that either the officers or men, are much better paid than those engaged in the merchant service. [Boston Atlas.

#### THE COAL REGIONS IN PENNSYLVANIA.

The coal regions of our state possess much interest in a domestic, a political, and a scientific point of view, and claim the fostering attention of all who delight in the development of our natural resources of wealth, and the prosperity of our enterprising citizens.

Pennsylvania is rich in her minerals, which only require scientific investigation and persevering industry to make them available, and render the now unconscious possessor independent. A few years since immense and inexhaustible beds of coal, which occupy thousands of square miles of our territory, were scarcely known, and entirely useless. So low were the Mauch Chunk mines estimated a few years since, previous to the improvement of the Lehigh navigation, that those valuable beds, from which 123,000 tons were sent to market during the year 1833, amounting, at Philadelphia, to more than \$600,000, was leased to the company for a period of 20 years, for the payment of one ear of Indian corn rent, annually. The genius of science exploring these waste regions, and directing the improvements for transportation, has opened the most valuable treasures, and peopled our dreary mountains with thousands of happy beings.

From the individual enterprise of a few public spirited citizens, the coal trade has assumed an aspect of the greatest importance in regard to individual comfort, state commerce and state economy. Under these circumstances, it is of some consequence that the people should be made acquainted with the coal interest, as it is intimately connected with the state prosperity. It has attracted the attention of our legislatures, and at the late session a detailed report was made by Mr. PACKER, of the senate, from which we condense the following information, running through 120 pages of the Journal.

[Bucks County Intelligencer.

Two species of coal abound in our state—the anthracite and bituminous. The anthracite, so far as actual discoveries have been made, appears to exist in three distinct or separate beds, bearing to each other a striking similitude in geographical position, extent of era, and geological character. The first, or Mauch Chunk, Schuylkill, and Lykens valley coal field; the second, or Beaver Meadow, Shamokin and Mahanoy coal field; and the third, on Lackawanna and Wyoming coal field.—These beds average about 65 miles in length and 5 miles in breadth. Another bed is suspected to lie between the second and third, but has not been sufficiently explored; which like thousands of hidden treasures of our state might reward the la-

bor of a full topographical and geological survey of the state; which has been so frequently urged upon the attention of our legislature, by individuals and scientific associations.

First, or Mauch Chunk, Schuylkill, and Lykens Coal Field, commences near the Lehigh, in Northampton county, and extends through the heart of Schuylkill county to Wicomico creek, emptying into the Susquehanna, in Dauphin county. The red shale which appears to form the base of the anthracite, and form a regular border around these deposits, continues on either side of the Wicomico creek, and is crossed by the Susquehanna above Millersburg, and also below it, between the Wicomico and Peter's mountains. A vein of coal has also been discovered in the bed of the river. These beds are considered of the same stratum and species, though there is some difference in the appearance of their texture and specific gravity—Mauch Chunk coal being 1,494—the Schuylkill, in the vicinity of Pottsville, 1,453; and the Pine Grove, Wicomico and Stony creeks, about 1,400. The latter is somewhat more inflammable.

As early as 1790, and perhaps before that period, coal was known to abound at or near the place now called Pottsville, and at Mauch Chunk, but excited little attention, and was only used by the neighboring blacksmiths, until some enterprising gentlemen made various attempts to introduce it, for a long time without success. The mines at Mauch Chunk were partially opened prior to the year 1800, and small quantities of coal taken to Philadelphia. A company was organized for the purpose of engaging in the business, but were regarded by the public as visionary enthusiasts, and some of them were driven from the stage of action; others persevered, succeeded, and yet live to witness the complete triumph of their efforts, and the consummation of their most enthusiastic predictions.

In 1812, col. GEORGE SNOEKMAKER, of Pottsville, loaded nine wagons with coal, at the Schuylkill mines, and hauled it to Philadelphia, a distance of 106 miles, two loads of which he sold for cost of transportation, to Messrs. Mellon & Bishop, who agreed to try it in their rolling mill, in Delaware county, and the remaining seven wagon loads he gave away, and had some difficulty in finding persons willing to take it.

In the year 1814, the hon. CHARLES MINER, of Wilkesbarre, with that public spirit and persevering energy which has marked his course through life, with a few personal friends, engaged in this then perilous traffic, and succeeded in taking 24 tons down the Lehigh and Delaware in an ark, to Philadelphia; having first hauled it over a rough road of 9 miles, to the river, which cost him at the city fourteen dollars per ton. Notwithstanding the great difficulty in navigating the Lehigh, at that day, and the consequent expense of conveying coal to the city, Mr. Miner and his associates had so far succeeded in 1814-15, in introducing the article, as to find a ready demand for it, and were about entering upon the trade extensively.—But peace came—our ports were opened to foreign commerce, and the coasting trade resumed—Liverpool and Richmond coal came in abundantly, and the anthracite fell far below the cost of transportation. From this time, the coal trade, as such was abandoned; and it does not appear that any considerable quantity of coal was taken to market, either by the Lehigh or Schuylkill, until 1820, when the Lehigh navigation was completed by the present company, and 365 tons were delivered at Philadelphia. In 1821, 1,073 tons were brought to market. In 1822, 2,440 tons. The year 1820 may, therefore, be regarded as the era, from which we are to date the anthracite coal trade of Pennsylvania—a trade which during the past year, has increased to nearly 600,000 tons, and amounts to about three millions of dollars. [Am. Daily Ad.

#### POWER OF STEAM.

The following singular correspondence has been carried on between the natives of the east, and the government of India, relating to the production and power of steam. The explanation of the principles of steam power are remarkably happy, and its character is well described.

From the Asiatic Journal.

CORRESPONDENCE WITH THE RAJAH OF GWALIOR RESPECTING STEAM ENGINES.

The correspondence which has taken place between the governor general and the court of Gwalior, on the subject of steam engines, is worthy of record. In March, 1833, at public dinner, lord William Bentinck received the following application from Sheewbh Roy, "goimashta of Lucknueehund and Radhakissen," at Calcutta.

"My lord, our Seth Lunne Ram has heard with astonishment that an iron boat has been sent out from England, which can swim and is capable of being navigated from Calcutta to Benares in eight days and against the stream. He desires to know how such things can be; he had directed us to make particular inquiries into such an unheard-of piece of mechanism, and to ascertain if it be true that the English perform such pieces of necromancy through the agency of those jins or devils, who in the early ages of the world, were turned into smoke and put into pots by the learned among mankind, and taken out to work for their masters as required. Now as we know the real truth of these matters, which those of Gwalior do not, we hope, especially as it will be pleasing to the Gwalior government, that a copy or epitome of the iron steamboat may be given to us, that we may send it to Gwalior, with an explanation, showing how such things incredible to others can exist through the agency of the British knowledge and science."

This application was answered by a letter from Mr. Secretary Macnaghten of Seth Luene Rani, expressed the governor general's gratification at the desire evinced by the applicant to become acquainted with the wonders of European science, and promising that a model should be sent. His lordship also wrote directly to the maharaja? Junkojee Rao Sindhia, at Gwalior, referring to the laudable curiosity evinced by that prince, when the governor general was at Gwalior, to make himself acquainted with European science, and including a short account of the principle of the steam engine, with some drawings of steam carriages; the former which is signed by Mr. Macnaghten, gives so clear, at the same time so familiar, an explanation of the engine, that it deserves to be considered as a curiosity.

"His highness wishes to know how an inanimate engine can be moved without the application of animal force. I will describe; just as the circulation of the blood and the motion of the limbs of an animal are caused and carried on by the pulse of the heart, so the motion of the levers and revolution of the wheels of the steam engine are produced by the action of a piston in a cylinder. Now the pulse of an animal is moved by the invisible power of the creation; no one can understand it; but the motion of the piston is caused by human agency, springing from God given wisdom, and is intelligible to every one.

"To comprehend the means by which the piston moves, it is only necessary to do two things.

"1st. Put a pot, half full of water, on the fire: stop up the mouth closely; place as great a weight on it as it will bear, still you find that, when the water boils, the steam produced will force off the lid or burst the vessel; for, know that one ruttee of water, by the application of fire, expands to 1,700 rutees of steam, and how is this to be contained in so small a pot? From this learn the force of steam; for, as Sadi says, 'love and musk cannot be concealed,' so it is certain, that steam cannot be restrained.

"2d. Wrap some wet tow round the top of a ramrod, so as just to be able to squeeze it into the barrel of a gun; force it to the breach, and then plug up the touch hole. Well, afterwards pull out the rod half way, let it go for a moment, and see with what force it will jump back to the breach!—What is the cause of this? Why the air was expelled through touch hole, and that being plugged up, no fresh air is admitted as the air tight rod is drawn out; so, where the ramrod was, is nothing, not even air, which pervades every place—a vacuum is caused, and as the separated friend cannot bear the desolation of absence, but flies to his beloved home, so the rod, unable to endure the emptiness of vacuity, rushes back into its chamber.

"These are the two agents which move the piston in the cylinder, viz: the steam is the raiser and the vacuum the depressor, and, by their opposing impulse, motion is communicated to all parts of the machine: for, first, a fire of coals, (a stone which is found in the hill of Burdwan, and burns like wood), is lighted; on this is placed a cauldron of water to boil, and, at the mouth of the cauldron a cylinder, with an iron rod fitting tightly in it. The steam produced by the boiling water rushes through a little valve, (a small door which opens and shuts), at the bottom of the cylinder, and raises up the piston: but then, as the piston raises, the space it leaves is filled with steam and a vacuum is required. Now I mention that a ruttee of water when converted into steam, would fill the space of 1,700 rutees. Yes, but is it possible to reduce the steam again to water? It is; by applying cold water to the outside of the cylinder, it immediately condenses, and there is consequently one ruttee of water and 1,699 rutees, of empty space, that is, vacuum. This is just what we wanted. The piston like the ramrod, instantly plumps down: again the stream of the steam forces upon the little door in the cylinder, the piston flies up, the steam is condensed and again it jumps down, and so on, as long as the fire is kept up. Now the top of the piston is fastened to a moveable lever, (sustained by a pillar), like the beam of a pair of scales, to the other end of which is fixed a large wheel, which, in its turn, turns others, and the whole apparatus is set in motion.

"There is another kind of steam engine, in which the piston is impelled alternately at each end by the steam, which is not condensed, but allowed to escape into the air. In this sort no cold water is required but a greater degree of heat.

"To explain all the parts of the machine would be tedious. Briefly, it is equally applicable to land or water carriages. In the picture now sent his highness will see strings of thirty carriages drawn along by one engine, up hill and down dale, at the rate of 30 miles an hour. The wheels run in iron grooves, for by this contrivance the same force can draw twelve times as much as it could on a good kunker road. In this way, hundreds of passengers of all kinds, animals and baggage are drawn along; one engine draws 700 mounds, and the whole can be stopped by a child! Every day new improvements are making.

"What numberless benefits does it afford! Food and clothing is greatly diminished in price by the expedition and cheapness of the carriage. Horses will no longer be required! 12,000,000 horses are fed in England, and each eats as much as eight men; so the country will sustain 80,000,000 more men! But how wonderful are its effects by water! It laughs at the wind and goes in its teeth and turns whenever the captain chooses, by the slightest touch. In short now that king steam has asserted his authority, the reign of the wind is cast to the winds and waves. Communication, which was formerly stopped for weeks together between the countries of Europe, is now regularly carried on whatever may be the state of the weather.

"It impels iron as well as wooden boats: and an iron boat is even lighter than a wooden one of the same size, since iron, from its strength and malleability, may be used in very thin plates; and consequently requires a less depth of water to float in.

"What wonder if his highness should set out in his steam carriage at day break, to go to bathe at Agra, or pray at Bindraban, and be back at Gwalior by noon! If an iron steamboat were launched upon the Chambul, at the proper season, it might reach Calcutta in week! But what end is there to wonders? It is said, 'a wise man is not astonished at wisdom.' "

"THE FATHER OF THE CONSTITUTION."

Montpelier (Va.) July 10th, 1834.

At this moment, when a nation in profound grief deploras the loss of one whom they have delighted to hail as the benefactor of the republic, it is peculiarly acceptable to me to be able to allay the universal solicitude about another most illustrious patriot.

The venerable and venerated Madison slowly recovers from a painful and protracted indisposition, and all apprehensions of his immediate dissolution are dissipated. He has sufficiently revived to afford me the high gratification of several hours conversation—occasionally sitting up, but generally reclining, his calm and philosophic temperament enables him to resist the ravages of disease; with fortitude and resignation he endures the afflictions of an all wise Providence, and whenever his pure and gentle spirit shall wing its flight to the mansions of bliss, his example, in death as through life, will enforce every precept which Christianity teaches—although the decay of his physical powers are but too evident; the wreck of mind has not even commenced—on every subject, he is luminous, instructive, argumentative and convincing. It is not to be questioned, that he highly approves of the system matured by the wisdom of the sages of the last half century, in regard to the cardinal points of policy, now in an evil hour sought to be subverted—he condemns the experiment of tampering with the currency of a nation at a moment of universal prosperity, satisfactorily proving its efficiency; and views a national bank as the balance wheel in our fiscal concerns and indispensable to the preservation of a sound and wholesome circulating medium—without which specie payment might never have been resumed, and which is an important regulator in coercing the state banks to continue. An enlargement of all bills to ten dollars he deems amply sufficient to retain a sufficiency of specie in the country.

The introduction of steam boats, rail roads and canals, has dissipated many of his early apprehensions as to the permanency of our free and happy institutions under one confederate republic.—Those facilities of intercourse will bind the remotest sections of this wide extended empire by kindred sympathies and identity of interest. Among his former solitudes were the means of producing this important result, and one of many plans suggested to him, were a covered way from Maine to Orleans—this was ascertained by calculation to be the most economical and efficient mode that could be adopted to insure a smooth, secure and permanent road; not being exposed to moisture, it would remain indestructible; but a little reflection satisfied him that it would become impassable from dust, and the project was discontinued and abandoned.

His convictions in regard to the policy of sustaining our manufacturing establishments are most conclusive. I remarked to him that a system of free trade might succeed if universal—provided, said he, that there be universal and perpetual peace between all the nations of the globe. For example, England consents that we feed her and she clothes us—what would be the result to both in the event of a rupture? One would starve before she could resume her agricultural pursuits, and the other perish with cold before garments could be manufactured within her own limits.

In lieu of considering manufactures as sores in the body politic, he avowed his conviction from clear statistical calculations that morality is better preserved and mortality diminished by the assenblage and employment of a large number of persons in a well regulated establishment, where they are regularly employed, promptly paid, well fed, comfortably clad, and ample medical attendance administered them, than when scattered over a country where subsistence is precarious and comforts few, as in European densely populated kingdoms; besides said he, abstract the present force, now consumers of our agricultural products, convert them into tillers of the soil, and we have a surplus which we neither can consume nor dispose of.

Thus as regards the currency of the country, internal improvements and domestic industry—the experience and reflection of this illustrious sage and whig of 76, sustains the policy of the whigs of 1831—in opposition to the mistle we now severely feel, and feelingly deplore.

Mr. Madison was particularly kind in his inquiries after the health and prosperity of our estimable citizen, Mr. Patterson, and seemed gratified to learn that he still pursued commercial enterprises, with his wonted energy and success.

He highly applauded Mr. Kennedy's eulogium on Mr. Wirt—he considered it replete with the flowers of eloquence, chaste in composition, and most accurate in delineations of Mr. Wirt's exalted character.

Although the lamp of life just now seems to flicker feebly, yet the roving freshness of his native mountains, his calm

endurance of suffering, his temperate habits of self-denial, the longevity of his ancestry,—and above all, the unceasing care and devotion of his exemplary wife, (who watching over his sick couch, is as when gracing the drawing room, equally unparalleled) may yet I fondly hope prolong his invaluable life, and afford me the high gratification of an annual pilgrimage to a patriarch's shrine, where hospitality, intelligence, patriotism, virtue and wisdom, all combine to attract, instruct and delight.

THE CHIEF JUSTICE.

*Well merited praise.* In the course of the late argument in the case of the Union Bank vs. the trustees of the bank of Maryland, before the court of Appeals of that state, gen. Gibbs, a lawyer of the state of Tennessee, who appeared for the Union Bank, referring to the judiciary of our country generally, and more particularly to the decisions of chief justice MARSHALL, paid a handsome and well merited tribute to the "virtue of the man who so ably fills that department. We give below the substance without pretending to give the language used.

"Our constitution, it appears to me, when it is destroyed, is to be destroyed by degrees; by little encroachments. This is the opinion also of the authors of that admirable work, the federalist, who have expressed the same apprehension. As yet, of the independent course of the judiciary every where in our country, and of their resistance to these encroachments, we have just reason to be proud. How gratified were we all to learn the late decision of the court of Appeals in South Carolina? Even amid the ferment of party, and while some of the first men of the country have been riding over the fundamental principles of the constitution, the judiciary, the very moment it came before them, in the face of an infuriated majority, maintained the integrity of the country. This has been the course of the whole of the judiciary of this country; and the chief justice of the supreme court does in my opinion deserve more of his country than any one of her sons since the days of the revolution.

Some have supposed that the senate would be the last abiding place of the liberty of this nation; but, sir, I have always thought that the judiciary was the column and the pillar which would at last sustain the country. I can recollect the day when I would have marched like the soldiers marshalled yesterday in front of this house,\* against the chief justice—when I would have been willing to have seen him executed. I have had time and opportunity to ascertain that I knew not the exalted character and worth of the man, or the value of his decision; I allude to the case of Burr. Sir, he has performed a great service to the country—he has cut off the whole system of constructive treason, which had been, for the last few years, getting ground. And should the occasion ever arise, then will the decision of this venerable patriot be the shield and the mantle thrown around the persecuted—this is the founder and the establisher of this great principle which has been stated—this is the man, who in the cases of Ogden & Saunders, the Dartmouth college and the Crown; Peck, &c. and others, has clearly stated the law. In these cases the great principles of the question have been developed by this master mind; and these are the principles which we now seek to maintain. They are not obligatory it is true—the court have a right to reject them—but they are so well sustained by the reasoning of the justice, that we do not suppose they will do so."

AMERICAN INGENUITY AND THE TARIFF.

*From the Boston Atlas.*

We learn from an article in the last London Quarterly Review—a source from which we should scarcely expect any thing complimentary to this country—that it appears from testimony lately given before a committee of the house of commons, that all the important improvements which have lately been made in the cotton manufacture are of American invention.

One topic of examination was the danger of American competition. The opinion expressed on this subject by Mr. Joshua Bates, the junior partner in the house of Baring, Brothers & Co. was extracted into the Edinburgh Review, and thence has gone the rounds of the newspapers. Though himself a Yankee, and entirely indebted to his own shrewdness to his present high rank in the commercial world, this gentleman appeared to entertain but a mean opinion of Yankee enterprise, and little fear of Yankee competition. By way of set off we will quote the opinion of Mr. Finlay, a practical manufacturer, upon the same subject, and delivered before the same committee.

"There are," he said, "so many advantages inherent in America, if I am rightly informed with regard to the population, that nothing in the world can prevent their establishing in that country a very formidable cotton manufacture. They have vessels going daily to all parts of the world, especially to all parts of South America; and if those vessels do not carry something, of course, the freight is lost. They are very adventurous persons, enterprising beyond any in that species of commerce, that I know in the world—infinity beyond this country. Sometimes they lose but they are most active and industrious in sending their commodities to all quarters, and they will get a very considerable sale."

Notwithstanding the little fear which Mr. Bates seems to entertain of American competition, in a subsequent part of his

\*Alluding to the detachment of our citizens, which marched against the rail road rioters. [Maryland Republican.

examination before the same committee, he states some facts with regard to our tariff, which we cannot help quoting. They are worthy of deep attention, and show how necessary it is for us to be on our guard against the mean, jealous and insatiate cupidity of the English manufacturers. "The cotton manufacturers of large capital," says the witness, "do not require the protection of the present duty in America. They could maintain the manufacture of common goods without it—though whether they might not be overwhelmed by the immense capital, which is employed by the manufacturers here, is a question. The English manufacturer would send out his goods and sell them at a loss, with NO OTHER OBJECT THAN TO RUIN THE AMERICAN MANUFACTURER, with a view of breaking up the system of manufacturing in America." He might have added—when they have once broken it up, they will then ask their own prices.

We subjoin a single extract from the Review itself: "International commerce is beneficial when commodities are interchanged to the mutual benefit of two countries, and to the promotion of industry is born; it is injurious when it renders one country dependent upon another for the conveniences of life—and in the last degree ruinous, if it induces a dependence for the necessities. A commonwealth must be ill constituted and insecure, unless it be self-sufficient in all things needful for the subsistence and being of the community; and this it cannot be unless it procures for itself all such things as value or habit have rendered so far indispensable, that the use of them cannot be foregone without great and general distress?"

BRITISH PARLIAMENT.

*From the New York American.*

The house of commons have entertained a bill for the partial abolition of imprisonment for debt.

Various efforts to pass bills for the better observance of the Sabbath have been defeated in the house. The annexed sketch of the debate on the bill removing Jewish disabilities, shows how far prejudice, religious and national, (in the reference made to America) is sometimes carried.

*House of commons, May 21—Jewish disabilities.* Mr. Robert Grant moved the second reading of the removal of the Jewish disabilities, on Wednesday.

Mr. Cumming Bruce moved that it be read a second time that day six months. He said that its tendency was to unchristianize the legislature, and take away the recognition of that highest allegiance, which, as a Christian people, we owed to Almighty God, as the father of our Lord Jesus Christ.

Mr. Peter gave the bill his warmest support. Mr. Poulter also supported it; and referred to France, Holland and the United States, as establishing the perfect competency of the Jews to perform the functions of civil and military offices.

Sir Daniel Saundford would oppose the measure. He for one would not go to America for an example in a matter of religion—to that America whose example had been so fatal to all kinds of religion. ("Oh, oh?") He trusted that the member for Dublin who had just cheered in such a peculiar way the sentiment he had uttered, would shortly bring forward a motion respecting the union of church and state, which he was so much in the habit of denouncing; and then it would be seen whether he could not bring history to show how America had afforded an example fatal to all religion. He could not recognize any thing like the spirit of true toleration in this offspring of a false liberality. He opposed this measure on the ground that this was a Christian country; that they had Christian institutions; that they were a Christian legislature, giving a Christian sanction to the laws which they passed; and that it was incumbent on them as a Christian people, not to deny any thing that might remove that sanction and desecrate those laws. They had been told, indeed, that Christian charity called on them to pass such a measure; but he could find nothing in the scriptures to show that Christian charity demanded the concession of political privileges. (A laugh).

It had been said that there were infidels in that house, and there were no means of excluding them. Was there, he would ask, any avowed and open infidel there, ("Oh, oh?") Was there, he would ask, any man who would dare to stand up in that house and say that he was an infidel? ("Oh, oh?") "Question, question!" To let him, who would proclaim himself an infidel not dare to do so there; let him go to the last scene of unfortunate and depraved humanity—let him go to the Old Bailey! (Laughter)—and there, amongst felons and the associates of felons, let him get up and declare himself an open and avowed infidel; and he would be driven from the court amidst a storm of hisses by an indignant Christian auditory. He did not put an imaginary case—he did not conjure up an imaginary scene: a man did so avow himself at the Old Bailey, and what was the consequence? He was driven from the court, amidst groans and hisses. Such would be the fate that awaited any man who should have the brazen effrontery in a Christian assembly to stand up and declare himself an infidel.

Mr. Buckingham deprecated this allusion. In his judgment, there did not exist the slightest allusion between such a case and that of a professor of the Jewish faith; on the contrary, the Jew was constantly received as a witness, in both civil and criminal cases.

Mr. Robert Grant said, he was not aware that any thing which had fallen from the opponents of the bill required an answer. The house divided; and agreed to read the bill a second time, by a majority of 123 to 32.

LETTER FROM THE POPE.

We find in the Journal des Debats, (Paris) the following letter from the pope to president Boyer:  
*To our dear son, the illustrious and honorable Boyer, president of the republic of Hayti.*

GREGORY XVI, pontiff.

Many and unanimous accounts, as well as the correspondence of your ministers, have apprised the chair of Rome, which, by the will of God, we now occupy, of the zeal which distinguishes your excellency, and of your sincere desire to cherish and consolidate the Catholic religion, which has been rendered by the constitution of Hayti, the religion of the state. These sentiments, worthy of a Christian and of an enlightened prince, have filled us with the more lively satisfaction, because we hope that they will advance the glory of God and the eternal salvation of man, that they will constitute a title of honor to yourself in life, and will obtain for you a great and glorious recompense hereafter.

In former years, the apostolical chair of Rome has labored, by correspondence, and by missions, to promote the interests of the faith in the illustrious republic of Hayti; but, owing to the distance, and various other circumstances, nothing definitive has yet been done. We have now determined to send near your excellency our legate, the venerable brother John England, bishop of Charleston in the United States of North America, whose intelligence and piety are well known, that he may treat with your excellency respecting the affairs of the Catholic religion throughout the republic; that he may deliberate with you respecting the choice of pastors; that he may form a national clergy, establish ecclesiastical discipline, and provide for the spiritual wants of the people. That, by your excellency's aid and favor, our said legate may execute his task successfully, he is invested with the requisite authority, and we recommend him to your protection. In the hope that this will be extended, we cordially bestow on your excellency, and the republic which you govern, the apostolical benediction.

Given at St. Peter's, at Rome, sealed with the seal of the fisherman, the 20th of May (4) A. D. 1834, and of our pontificate the third.  
 GASPAR GASPARINI.

CORRESPONDENCE WITH ROME.

The following rather extraordinary correspondence has been brought out by the New York "Evening Star," and published with comments. Of the latter we shall only publish the annexed paragraph, as explanatory of the origin of this correspondence—

"It seems that in a dispute between two officiating priests in Philadelphia, both solicited the interference of the executive government to settle the difficulty with his holiness the pope. Now, instead of Mr. Secretary Van Buren saying to these gentlemen, 'you may receive your appointments from the court of Rome, being purely of a religious nature; but you live under the laws of the United States, and are citizens of the United States, and all disputes must be adjusted according to the law of the land: the interference of a foreign power in settling disputes between American citizens is utterly impossible; it struck him instantaneously, as an affair in which some votes might be obtained for the great hereafter.' So a correspondence was forthwith opened," &c.

Mr. Cicognani to Mr. Van Buren.

Rome, May 8th, 1830.

"Yesterday I had a particular audience from his holiness, in my official capacity of consul of the United States of America in Rome. His holiness received me in the most benign manner, and expressed the most favorable sentiments for the government as well as for the nation of the United States of America. He said that he was favorably inclined to the United States of America, because the Catholic people enjoy the same protection as the other citizens of different creeds, and have no disabilities according to the law. His holiness desired me particularly and repeatedly to assure, in his name, the government of the United States that he will never interfere in politics, and that in cases of any mis-intelligence between governments, he will do all in his power to lead them to peace; he requested also that I should express his wish that the citizens of the United States of America professing the Catholic religion, may in future meet with the same protection they have found to this time.

After the audience from his holiness, I went, as is customary, to pay my respects to cardinal Albani, secretary of state, who received me very kindly, and expressed the most friendly sentiments towards the citizens and the government of the United States of America. The manner in which I was received by his holiness and the cardinal secretary of state, and the sentiments expressed by them both, will afford great gratification to the president and to yourself, and I should feel highly honored, if you would make me the interpreter of the sentiments that you might think proper to reciprocate with those expressed by his holiness."

Mr. Van Buren to Mr. Cicognani.

Washington, 20th July, 1830.

"Your letters of the 11th April and 5th May, the first anticipating the favorable sentiments of his holiness the pope, towards the government and people of the United States, and the last confirming your anticipations, have been received at this department, and submitted to the president, by whom I am

directed to convey to his holiness, through the same channel, an assurance of the satisfaction which he derives from this communication of the frank and liberal opinions entertained by the apostolic see towards this government and people, and of the policy which you likewise state his holiness has adapted, and which is so worthy of the head of a great and Christian church, assiduously to cultivate in his intercourse with foreign nations, the relations of amity and good will, and sedulously to abstain from all interference in their occasional differences with each other, except with the benign view of affecting reconciliations between them.

You will accordingly seek an early opportunity to make known to the pope in terms and manner best suited to the occasion, the light in which the president views the communication referred to, and likewise you will assure him that the president reciprocates in their full extent and spirit, the friendly and liberal sentiments entertained by his holiness towards the government and the people of the U. States by those which he entertains towards the government of the apostolic see, and the people of the states of the church; and it is the president's wish, that you should upon the same occasion, offer his congratulations to the holy father, upon his recent succession to the Tiara, not from any hereditary claim on his part, but from preponderating influence which a just estimation of his talents and virtues naturally had upon the enlightened council by which that high distinction was conferred; and which afforded the best pledge that his pontificate will be a wise and beneficent one.

You will take care, likewise, to assure his holiness, in reference to the paternal solicitude which he expresses in behalf of the Roman Catholics of the U. States, that all our citizens, professing that religion, stand upon the same elevated ground which citizens of all other religious denominations occupy, in regard to the rights of conscience, that they enjoy *liberty*, contradistinguished from toleration; that they enjoy an entire exemption from coercion in every possible shape, upon the score of religious faith, and that they are free, in common with their fellow citizens of all other sects, to adhere to, or adopt the creeds and practice the worship best adapted to their reason or prejudices; and that there exists a perfect unity of faith in the United States amongst religionists of all professions, as to the wisdom and policy of that cardinal feature of all our constitutions and frames of government, both those of the United States and the separate states of the union, by which this inestimable right is formally recognised, and the enjoyment of it inviolably secured."

CITY OF WASHINGTON.

ASSESSMENT VALUATION OF CITY PROPERTY, DEC. 31, 1833.

Wards.	Lots.	Buildings.	Personal.	Total.
First,	\$760,494	723,158	193,310	1,674,962
Second,	753,538	691,455	181,540	1,625,533
Third,	1,132,336	1,417,835	247,830	2,798,001
Fourth,	290,063	256,620	50,220	597,443
Fifth,	334,885	182,660	26,295	544,579
Sixth,	217,075	212,960	40,625	470,660
	3,488,032	3,682,688	740,450	7,911,178

⚡—The taxes levied on the above, are at the rate of \$1 10 per \$100 valuation.

UNITED STATES DRAGOONS.

[From the Army and Navy Chronicle]

The regiment of dragoons is now completed to its establishment, and all the companies have marched to Fort Gibson, where the head quarters have been established during the winter. This regiment is composed of ten companies, of about seventy men each; each man is armed with a sword, pistol and carbine. The carbine is of a peculiar description; it is on the principle of Hull's rifles, it loads in the breech, and the part containing the charge is so constructed as to separate from the barrel by means of a spring. This part may be called the chamber; and is about six inches long; when loaded, it is easily returned to its position, and then, if the percussion cap is put on the touch-hole, the piece is ready for firing; it requires no ramrod, yet it is furnished with one, which answers the purpose of a wiper, and, when drawn out, makes a bayonet equal in length to the barrel of the piece, and is a very formidable weapon. The whole piece weighs seven pounds and a half, and carries balls twenty-four to the pound.

The dragoons are instructed to serve on horse or foot, as occasion may require. About this time, it is expected that they are on the expedition among the tribes of Indians inhabiting the country between the Rocky Mountains and the Mississippi. They are to proceed across the country to the *boggy* of the Red River, thence westwardly towards the Mexican frontier, thence northward as far as it may be prudent to go, allowing time to return before the cold weather sets in. On its return, the regiment will descend by the Missouri on either bank.

Four companies will winter at Fort Leavenworth, viz: Wharton's, Hunter's, Ford's and Duncan's.

Three companies, Sumner's, Boon's and Brown's, on the right bank of the Mississippi, within the Indian country, near the mouth of the Des Moines.

The other three companies, Trenchor's, Beau's and Perkin's at or near Fort Gibson.

The expedition, it is understood, will be accompanied by several gentlemen of science, who go at their own expense. The object of the expedition is to give the wild Indians some idea of our power, and to endeavor, under such an imposing force, to enter into conferences with them, to warn those Indians who have been in the habit of robbing and murdering our people who trade among them, of the dangers to which they will be exposed in case they continue their depredations and massacres.

Several delegations of the newly emigrated Indians, now settled beyond the states and territories, to the westward of the Mississippi, as well as the Osages and other tribes near them, will accompany the expedition, in the hope of making treaties of friendship with the wild tribes, and thus prevent, for the future, the recurrence of those wars which are so common among the Indians.

The expedition, it is hoped, will result in much good; it will afford protection to the civilized Indians, to our frontiers, to our trade with the natives, and cover the Santa Fe caravans trading with Mexico; and, perhaps, enlighten the Indians generally as to the humane policy of the United States towards them, and also as to their own true interests.

#### WEST POINT ACADEMY.

REPORT OF THE BOARD OF VISITERS TO THE MILITARY ACADEMY.  
West Point, New York, June 17, 1834.

To the secretary of war:

Sir: In compliance with your request, the undersigned have attended, as a board of visitors, during the general examination, at the United States military academy, just concluded, and have "directed their inquiries to a full and free investigation in regard to the course of instruction, both military and scientific, and to the internal police, discipline and fiscal concerns of the institution." That these several objects of inquiry might be attended to as thoroughly and successfully as possible, the board, at its organization, referred them to separate committees, who have presented full reports with regard to them, accompanied by some suggestions for the improvement of the institution. Copies of these reports are forwarded to you, and the board take the liberty of referring you to them for details, while they confine their joint report to a general and brief view of the present condition of the academy.

The fidelity of the professors, and the assiduity and proficiency of their pupils, were tested by an examination, on the several subjects, extending over eleven days, and continued for each day eight hours.

The sciences not strictly professional, included in these examinations, were mathematics, taught here from the elements of arithmetic to the profound theorems of the integral calculus—natural philosophy, including mechanics and astronomy—chemistry, in connexion with mineralogy and geology—and, lastly, rhetoric and moral and political science.

The subjects of professional study are civil and military engineering, and infantry and artillery tactics, with the last of which are connected ballistics and pyrotechny.

A part of the first two years is devoted to the study of the French language, with which a competent acquaintance is required of the cadets.

Lastly, great attention is very properly paid, in this academy, to the art of drawing, of which the practical applications are so frequent and important in the military profession.

The subjects combined, certainly constitute an excellent preparatory education for officers of the army, and the examinations proved that they were faithfully and skillfully taught. Marked inequalities were indeed observed in the proficiency of the cadets, and defects remain to be corrected in the organization of some of the departments, but still the exhibition was, on the whole, highly satisfactory and gratifying.

Frequent opportunities were presented to the board of witnessing the practical skill of the corps in infantry and artillery exercises; and their fine and soldier-like appearance in the ranks, and the accuracy with which they executed their various evolutions, proved that this essential part of the duties of a military academy was sedulously attended to by both officers and cadets.

The discipline of the institution was carefully examined, in its various bearings, and the board have reason to think that it is in an excellent state. The laws seem to be executed with a stern regard to the good of the service, yet with kind and paternal feelings, and the officers and professors are believed to be generally both beloved and respected.

The internal police of the institution was found to be carefully attended to. The rooms, in the barracks, occupied by the cadets, exhibit a gratifying appearance of neatness and order, while, at the same time, they give rise to regret, on account of the inadequate accommodation which they offer. The mess table is well supplied with plain, but good and wholesome food. In the event of sickness, which the board are happy to find has been lately of rare occurrence, suitable and comfortable accommodations are provided at the hospital, with the best medical attendance.

The board directed an inquiry to be instituted with as much minuteness as circumstances would admit, into the fiscal concerns of the institution. The result, which will be found fully detailed in one of the reports sent herewith, is, that the accounts are kept in a correct and satisfactory manner—that the expenditures are made in accordance with the appropriations—and that a proper attention is paid to economy in the expenses of every kind. To prevent extravagance in the cadets, there is

a regulation which prohibits to them the possession or use of money, or expenditure of it, except with the consent of the superintendent, who stands, with regard to them, in the place of a parent, and who, it is believed, exercises his authority with enlightened discretion.

The whole investigations of the board, lead them to the conclusion that the military academy is a most valuable and essential part of the army establishment of the United States; that, at a cost so low as not to exceed that of a second rate man-of-war, it prepares, and can spread over the whole country, officers instructed and capable of giving instruction in the military art; and thus, without the danger arising to liberty from large standing armies in time of peace, enables the government to fulfil the duty which the constitution so solemnly enjoins, of "providing for the common defence," and lastly, that if our young citizens were commissioned in the army as lieutenants, in the first instance, as they must be if this institution be abolished, they could not obtain, in four years, even the same military knowledge as the cadets, while their probation and education would be far more expensive to the country.

(Signed)

G. VAN SCHOOHOVEN, *president*.

ALVIN BROENEN,

JAMES HOOKER,

CHAS. B. PENROSE,

H. G. COMINGE,

JNO. T. ANDERSON,

R. M. PATTERSON,

ACHILLE MURAT,

WM. P. DUVAL,

WRIGHT C. STANLEY,

P. LINDSLEY,

J. L. SMITH, *capt. corps of eng'rs.*

JAMES LATIMER, *jr.*

T. B. DALLAS, *secretary*.

The undersigned freely subscribe the within report, without

expressing an opinion with regard to the last paragraph.

(Signed)

WILLIAM SMYTH,

J. W. SCOTT.

#### GOLD COINS.

Considerable interest is now felt to see again in circulation some of the gold coins which, as if by magic, have entirely disappeared from the pockets of the people, to be an article of commerce and barter abroad, and this while our own country is producing such great quantities of the precious metal. On inquiry at the mint, we are pleased to learn that an early day is fixed for the emission, and we mean thereafter never to be without at least one piece of the metal, which by general consent and popular belief is the sovereign remedy for sore eyes.

The purity of gold is not estimated by weights commonly in use, but by an Abyssinian weight called a *carat*. The carats are subdivided into four parts called grains, and these again into quarters; so that a *carat grain*, with respect to the common divisions of a pound troy, is equal to  $\frac{1}{24}$  pennyweights. Gold of the highest degree of fineness, or pure, is said to be 24 carats fine.

The circumstances of the English gold coinage somewhat resemble our present case. When gold coins were first made at the English mint, the standard of the gold put in them was 23 carats,  $\frac{3}{4}$  grain fine, and  $\frac{1}{4}$  grain alloy, and so it continued without any variation, to the 18th. Henry 8, who in that year first introduced a new standard of gold of 22 carats fine, and 2 carats alloy. The first of these standards was called the old, and the second the new standard or crown gold, because crowns, or pieces of the value of five shillings were first coined of this new standard. Henry 8, made his gold coins of both these standards under different denominations, and this practice was continued by his successors until 1663. From that period to the present, the gold of which the coins of Great Britain have been made has been invariably of the new standard, or crown gold, though some of the coins made of the old standard continued to circulate till 1732 when they were forbidden to be any longer current. The purity of the present English gold coins is therefore 11 parts fine gold and 1 part alloy. The alloy in coins is reckoned of no value. It is allowed, in order to save the trouble and expense that would be incurred in refining the metals, so as to bring them to the highest degree of purity; and because, when its quantity is small it has a tendency to render the coins harder, and less liable to be worn or rubbed. If the quantity of alloy were considerable, it would lessen the splendor of and ductility of the metals, and would add too much to the weight of the coins.

Before the art of metallurgy was well understood, the baser metals were frequently used as money, iron was the primitive money of the Lacedaemonians, and copper of the Romans. But both iron and copper deteriorate by being kept; and besides this defect, the rapid improvement of the arts, by lowering their price, rendered their bulk too great in proportion to their value to permit of their continuing to be used as money. Copper indeed is still used among us for the smallest denomination of circulating medium, but it bears no relative value with gold, and is a mere convenience in petty traffic.

When the precious metals first began to be used as money, or as standards by which to measure the value of different articles, and the equivalents for which they were most generally exchanged, they were in an unfashioned state, in bars or ingots. The parties first agreed as to the quantity of a metal to be given

for a commodity and the quantity was then ascertained by weight. But it is obvious that a practice of this sort must have been attended with a great deal of trouble and inconvenience. There can however be little doubt that the great obstacle in the use of unfashioned metals as money, would be found in the difficulty of determining their quality, or the degree of their purity with sufficient precision.

The operations of assaying is one of great nicety and difficulty, and could not be performed in the early ages otherwise than in a clumsy, tedious and inaccurate manner. It is indeed very probable, that when the precious metals were first used as money, their quality would be appreciated only by their weight and color. A very short experience would, however, be sufficient to show the extreme inexactness of conclusions derived from such loose and unsatisfactory criteria; and the devising of some method by which the fineness of the metal might be easily and correctly ascertained, would very soon be felt as indispensable to the general use of gold and silver as money. Such a mode was not long in presenting itself, it was early discovered, that to ascertain the purity of the metal, and also to avoid the trouble and expense of weighing it, no more was necessary than to make each piece with a stamp declaring its weight and fineness. Some ancient authors state the art of coining was invented at a period antecedent to authentic history.

Originally the coins of all countries seem to have had the same denomination as the weight commonly used in them, and contained the exact quantities of the precious metals indicated by their name. Thus the pound of England contained exactly the weight indicated originally by its name; the standard has not, however, been preserved inviolate, and the pound sterling in silver is less than the third part of a pound weight; in France, Spain and other countries this has been carried still further.

[Philadelphia Price Current.

LAWS OF THE UNITED STATES.

An act authorising the payment of bounty on certain fishing vessels lost at sea.

*Be it enacted, &c.* That the collector of the port of Boston and Charlestown be, and he hereby is, authorised to pay to the late owners and crew of the *Two Brothers*, to be distributed according to law, the same sum of money that said vessel would have been entitled to receive as a bounty or drawback, if she had in her last voyage, in which she was lost, complied with all the requirements of law necessary to secure such bounty; the said vessel being of the burden of one hundred and thirteen and twenty-nine ninety-fifths tons.

*Sec. 2. And be it further enacted,* That the collector of the port of Freuchen's bay be, and he hereby is, authorised to pay to Daniel Kiff, the late owner, and to the crew of the fishing boat *Junio*, to be distributed according to law, the same sum said vessel would have been entitled to, as a bounty or drawback, if she had not perished by the perils of the sea in her last voyage, and had arrived in port, having complied with all the requirements of law necessary to secure such bounty or drawback; the said boat being of the burden of fourteen and seventy-nine ninety-fifths tons.

*Sec. 3. And be it further enacted,* That the collector of the customs for the district of Barnstable, state of Massachusetts, is hereby authorised to pay to the heirs at law, of the owners and crew of the schooner *Emline*, which was lost at sea, together with the whole crew, before she had accomplished the time required by law to entitle her to the bounty or drawback, [the same sum] she would have been entitled to have received, had she safely arrived in port, after having accomplished the full term required by law.

Approved, 30th June, 1834.

An act concerning tonnage duty on Spanish vessels.

*Be it enacted, &c.* That, from and after the first day of March next, Spanish vessels coming from the island of Cuba, or Porto Rico, either directly or after touching at any port or place, shall pay in the ports of the United States such further tonnage duty, in addition to the tonnage duty which may be payable under any other law, as shall be equivalent to the amount of discriminating duty that would have been imposed on the cargoes imported in the said vessels, respectively; if the same had been exported from the port of Havana in American bottoms.

*Sec. 2. And be it further enacted,* That before any such vessel shall be permitted to clear out or depart from a port of the United States with a cargo which shall be directly or indirectly destined to either of the said islands, the said vessel shall pay such further tonnage duty as shall be equivalent to the amount of discriminating duty that would be payable for the time being upon the cargo if imported into the port of Havana in an American bottom.

*Sec. 3. And be it further enacted,* That no Spanish vessel shall be allowed to clear out or depart from a port of the U. States, with any goods, wares or merchandises, except upon a destination to some port or place in the island of Cuba or Porto Rico, without giving bond, with approved security, in double the value of the vessel and cargo, that the said cargo, or any part thereof, shall not be landed in either of the said islands; which bond shall be cancelled on producing of certificate from an American consul, that the said cargo has been landed elsewhere, bona fide, and without intention to reship it for a port in one of the said islands.

*Sec. 4. And be it further enacted,* That the secretary of the treasury be, and he is hereby, authorised from time to time to

estimate the said additional tonnage duty, and to give directions to the officers of the customs of the United States for the collections of such duties so as to conform the same to any variation which may take place in the discriminating duties levied on the cargoes of American vessels in the said port of Havana.

*Sec. 5. And be it further enacted,* That whenever the president of the United States shall be satisfied that the discriminating duties in favor of Spanish bottoms, levied upon the cargoes of American vessels in the ports of Cuba and Porto Rico, have been abolished, or whenever, in his opinion, a satisfactory arrangement upon the subject of the said duties shall have been made between the United States and Spain, the president is hereby authorised to declare the same by proclamation, and thereupon this act shall cease to have any further force or effect.

Approved, June 30, 1831.

An act making additional appropriations for certain harbors, and removing obstructions in the mouths of certain rivers, for the year one thousand eight hundred and thirty-four.

*Be it enacted, &c.* That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for carrying on and completing certain works heretofore commenced, viz:

For piers at the entrance of Kennebunk river, ten thousand three hundred dollars.

For the breakwater at the mouth of Merrimack river, three thousand eight hundred and sixty dollars.

For the preservation of Plymouth beach, two thousand dollars.

For the preservation of the beach at Provincetown harbor, Massachusetts, four thousand four hundred dollars.

For the breakwater at Hyannis harbor, Massachusetts, ten thousand dollars.

For improving the harbors of Newcastle, Marcus Hook, Chester and Port Penn, in the Delaware river, six thousand one hundred and thirty-three dollars.

For carrying on the improvement of Ocracoke river, North Carolina, fifteen thousand dollars.

For improving Cape Fear river, below Wilmington, North Carolina, five thousand two hundred and thirty-four dollars.

For improving the navigation of the Ohio, Missouri and Mississippi rivers, fifty thousand dollars.

For completing the improvement of St. Mark's river and harbor, Florida, four thousand six hundred dollars.

For improving the harbor of Chicago, Illinois, thirty-two thousand eight hundred and one dollars.

For the piers at La Plaisance Bay, Michigan, four thousand eight hundred and ninety-five dollars.

For improving the navigation of Red river, fifty thousand dollars.

For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.

For filling up and securing a breach in the south embankment at Presqu' Isle, Pennsylvania, three thousand and forty-five dollars.

For improving the harbor of Mobile, in removing the bar at the entrance of the harbor, called the Choctaw Pass, ten thousand dollars.

For improving the navigation of the river Savannah, in removing the obstructions in said river from the city of Savannah to its mouth, thirty thousand dollars.

For continuing and securing the works at Oswego harbor, N. York, thirty thousand dollars.

For continuing the improvements at Big Sodus Bay, N. York, on the present plan, fifteen thousand dollars.

For completing the works at Genessee river, New York, on the present plan, twenty thousand dollars.

For continuing the improvements of Black Rock harbor, New York, twelve thousand dollars.

For completing the works at Buffalo, New York, twenty thousand dollars.

For continuing the improvements at Dunkirk harbor, New York, four thousand dollars.

For securing the works at Presqu' Isle, Pennsylvania, twenty thousand dollars.

For completing and securing the works at Cleveland harbor, Ohio, thirteen thousand three hundred and fifteen dollars.

For repairing and securing the works at Grand river, Ohio, ten thousand dollars.

For securing the works at Black river, Ohio, five thousand dollars.

For extending and securing the works at Huron river, Ohio, six thousand seven hundred dollars.

For continuing the improvements at Ashtabula creek, Ohio, five thousand dollars.

For defraying the expense of surveys pursuant to the act of the thirtieth of April, eighteen hundred and twenty-four, including arrearsages for eighteen hundred and thirty-three, twenty-nine thousand dollars, of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical surveys and researches.

To rebuild the monument on Steel's ledge, Penobscot Bay, four thousand six hundred dollars.

For the continuation of the improvement of the navigation of the Cumberland river thirty thousand dollars, to be expended under the direction of the war department.

Approved, June 28, 1834.

YEAS AND NAYS IN THE SENATE.  
From the United States Gazette.

A correspondent has furnished us with the subjoined tabular statement of the votes of the United States senate, on some of the important questions which came before that body, at the late session.

1. 11th Dec. 1833. Resolution of the senate, requesting the president of the United States to communicate to the senate "a copy of the paper which has been published, and which purports to have been read by him to the heads of the executive departments, dated the 18th day of September last, relating to the removal of the deposits of the public money from the bank of the U. States and its offices." Ayes 23. Nays 17.
2. 28th March, 1834. "Resolved, That the reasons assigned by the secretary of the treasury, for the removal of the money of the United States, deposited in the bank of the United States and its branches, communicated to congress on the 4th day of December, 1833, are unsatisfactory and insufficient." Ayes 28. Nays 18.
3. 28th March, 1834. "Resolved, That the president, in the late executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." Ayes 26. Nays 20.
4. 1st May, 1834. "Will the senate advise and consent to the appointment of Peter Wager, Henry D. Gilpin, John T. Sullivan and Hugh EcElderry." Ayes 11. Nays 30.
5. 7th May, 1834. "Resolved, That the protest, communicated to the senate on the 17th instant, by the president of the United States, asserts powers as belonging to the president, which are inconsistent with the just authority of the two houses of congress, and inconsistent with the constitution of the United States.  
"Resolved, That while the senate is, and ever will be, ready to receive from the president all such messages and communications as the constitution and laws, and the usual course of business authorise him to transmit to it, yet it cannot recognise any right in him to make a formal protest against votes and proceedings of the senate, declaring such votes and proceedings to be illegal and unconstitutional, and requesting the senate to enter such protest on its journals.  
"Resolved, That the aforesaid protest is a breach of the privileges of the senate, and that it be not entered on the journal.  
"Resolved, That the president of the U. States has no right to send a protest to the senate, against any of its proceedings"  
Ayes 27. Nays 16.—(The vote being the same on each of the four resolutions.)
6. 24th June, 1834. "Will the senate advise and consent to the appointment of Andrew Stevenson." Ayes 22. Nays 23.
7. 24th June, 1834. "Will the senate advise and consent to the appointment of Roger B. Taney." Ayes 18. Nays 28.
8. 27th June, 1834. "Resolved, That it is proved and admitted that large sums of money have been borrowed, at different banks, by the postmaster general, in order to make up the deficiency in the means of carrying on the business of the post office department, without authority given by any law of congress; and that, as congress alone possesses the power to borrow money on the credit of the United States; all such contracts for loans by the postmaster general, are illegal and void." Ayes 41. Nays none.

TABULAR STATEMENT.

States.	Senators.	1.		2.		3.		4.		5.		6.		7.		8.	
		Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.	Yeas.	Nays.
Maine	*Sprague	Y		Y		Y		Y		Y		Y		Y		Y	
	Shepley		N		N		N		N		N		N		N		N
New Hampshire	*Bell	Y						Y		Y							
	Hill		N		N		N		Y		N		Y		Y		Y
Massachusetts	*Silsbee	Y		Y		Y				Y							
	Webster	Y		Y		Y				Y							
Rhode Island	*Knight	Y		Y		Y				Y							
	Robbins	Y		Y		Y				Y							
Connecticut	Tomlinson	Y		Y		Y				Y							
	Smith	Y		Y		Y				Y							
Vermont	Prentiss	Y		Y		Y				Y							
	Swift	Y		Y		Y				Y							
New York	Wright		N		N		N	Y			N	Y	Y		Y		Y
	Tallmage		N		N		N				N	Y	Y		Y		Y
New Jersey	*Frelinghuysen	Y		Y		Y				Y		Y	Y				Y
	Southard	Y		Y		Y				Y			Y				Y
Pennsylvania	Wilkins		N		N		N				N	Y		Y			
	McKean		N		N		N				N	Y		Y			
Delaware	*Clayton			Y		Y				Y							Y
	Naudain	Y		Y		Y				Y							Y
Maryland	Chambers	Y		Y		Y				Y							Y
	Kent	Y		Y		Y				Y							Y
Virginia	Rives		N	(Resigned.)													
	Leigh		N	Y		Y				Y							
	Tyler		N	Y		Y				Y							
North Carolina	*Brown		N		N		N	Y			N	Y	Y		Y		Y
	Mangum	Y		Y		Y				Y							Y
South Carolina	*Calhoun	Y		Y		Y				Y							Y
	Preston	Y		Y		Y				Y							Y
Georgia	Forsyth		N		N		N	Y			N	Y	Y		Y		Y
	*J. P. King		N		N		N	Y			N	Y	Y		Y		Y
Kentucky	*Bibb	Y		Y		Y				Y							Y
	Clay	Y		Y		Y				Y							Y
Tennessee	*White		N		N		N	Y			N	Y	Y		Y		Y
	Grundy		N		N		N	Y			N	Y	Y		Y		Y
Ohio	Ewing	Y		Y		Y				Y							Y
	Morris		N		N		N	Y									Y
Louisiana	*Waggaman			Y		Y				Y							Y
	Porter			Y		Y				Y							Y
Indiana	Hendricks	Y		Y		Y				Y							Y
	Tipton		N		N		N	Y			N	Y	Y		Y		Y
Mississippi	*Poindexter	Y		Y		Y				Y							Y
	Black			Y		Y				Y							Y
Illinois	*Robinson		N		N		N	Y									Y
	Kane		N		N		N	Y									Y
Alabama	*W. R. King		N		N		N	Y			N	Y	Y		Y		Y
	Moore		N		N		N	Y			N	Y	Y		Y		Y
Missouri	Linn		N		N		N	Y			N	Y	Y		Y		Y
	Benton		N		N		N	Y			N	Y	Y		Y		Y
		23	17	28	18	26	20	11	30	27	16	22	23	18	28	41	Non

\*Term of service will expire on the 3d of March, 1835.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 24—VOL. X.] BALTIMORE, AUG. 9, 1834. [VOL. XLVI. WHOLE No. 1,194.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We insert a brief speech of Mr. *Webster*, with a few words from Mr. *Benton*, in conclusion of the lively and powerful debate on the affairs of the *post office*, which took place in the senate on the evening of the 27th June, and resulted in the *unanimous* vote of that body, declaring that all the "contracts for loans by the postmaster general were illegal and void."

Many persons act as if they thought that the REGISTER contained *every thing!*—though happening a quarter of a century before its publication was begun. The REGISTER does contain *many* things, and thousands on thousands of questions are settled by easy references to its closely printed and capacious pages in most parts of the United States—but still, now and then a portion of the public mind is directed to some particular subject that cannot be found in this record—and hundreds of personal applications are made to us in vain.

Within the last two or three months, we have had frequent calls for the proceedings of the house of representatives of the United States, on the address to president WASHINGTON, when the latter had announced his intention of retiring (a second time), into private life. We promised to give these proceedings soon after the rising of congress, and now present them, at length.

In the REGISTER of the 19th we gave it as the opinion of sound and practical men, that the *labor* in agriculture had been reduced one-fourth in the last 30 or 35 years, by the use of improved implements and tools, facilities in communications, and more correct rotations of crops, &c.

We notice a new machine which, if what is said of it is true, is an important one. It is called a *hemp-cutter*, invented in East Tennessee, by Dr. Thomas A. Anderson, and constructed on very simple principles—and which, by the aid of two horses, will cut from 8 to 10 acres a day, in the best possible and most satisfactory manner.

We have published, we believe, all the public acts passed by the last congress, that, as we think, are generally useful to be known.

It will be seen by the law concerning the tonnage duty on Spanish vessels, inserted in our last, that the *protection principle* has been fully recognised as to our *navigation*, though it is resisted as to our *manufactures!* We have pleasure in the former—but would ask, why is *reciprocity* claimed for and given to ship builders and ship owners, and denied to spinners and weavers, iron makers and workers, and many other far more important branches of the national industry? Is the *principle* just in the one case, and unjust in others? Why does it more concern an American farmer, that his flour should be exported to Cuba and Porto Rico in a *Spanish* vessel, than that he should be compelled (as he may be) to wear a coat of *English* cloth—while England prohibits the consumption of his flour or grain?

Some curious observations of *William Cobbett*, in the British house of commons, on education, are inserted, to which we have prefixed one or two remarks. The doctrines avowed by him are strange "in these our days." He would keep society virtuous, by keeping the mass of the population ignorant! If the demagogue is right, those who have been esteemed as the greatest benefactors of their kind, were wretched fools—that's all.

The second of a probable *series\** of pamphlets, on matters relating to the bank of Maryland and other things about money, or paper, or credits, or *managements*, ap-

\*Since the preceding was in type, the propriety of using the word "series" has become manifest—by subsequent operations.

peared last Monday, making 105 octavo pages. The late president of this bank, on the 18th of last month, published a deposition implicating the character of certain gentlemen, as being, in fact, his partners in the credits and managements of the bank, and the reply of those implicated now appears—pronouncing the charges preferred not only scandalous and false, but also implicating other parties as concerned with the late president of the bank of Maryland, in the wild, if not desperately wicked, and enormous money operations of that institution; and the appendix contains a large body of strong testimony in respect to these affairs. This pamphlet will, most probably, give birth to a rejoinder on the part of the late president of the bank, and a reply from the new parties implicated—which, being incidentally connected with yet other parties, forebodes a long discussion at "the bar of the public reason;" parts of which it may become our duty to notice, as involving the proceedings of *public men*, though hoping to be excused from entering into the *slough of speculation*, (as we must politely call it), that has been, or is about to be, revealed!

We shall give no opinion on the particular merits of the matters presented, except to say—that we never have seen a development of more *rampant* uses of credits than has been *already* made.\* They are referred to only to inform our readers what is going on.

The crimes against the property of honest persons, committed in or through the bank of Maryland, are of a larger amount than the aggregate of all such crimes committed by those who have tenanted the *Maryland penitentiary* from its first establishment to the present day! But out of the present disclosures, and others which may be expected, a public good will result. A great proportion of the power of this bank to plunder the people, grew out of the good reputation of certain of the gentlemen who suffered themselves to be appointed, and to have their names blazoned forth, as *directors* of the institution. Nobody supposed that these men would do wrong—or suffer wrong to be done. But, according to the present appearances of things—those on whose honesty the public relied, were as ignorant of the true state of the bank as they are of what is just now happening in the planet Saturn! And are these not "*sins of omission*?" Is a just responsibility to the public lost in an utter ignorance of concerns which they ought to have directed? And how is it, that worthy men permit their names to be used for certain purposes abroad, when, in truth, they are valued only because of necessary *countings of noses* at home—to make up a board! We insist on it—that gentlemen who lend their names in such cases should be held responsible for the conduct of those to whom it is lent; and the statements now before us, it may be hoped, will lead into a direct and clear understanding on this subject, when new banks are to be chartered—with provisions something after this manner: if the capital of the bank is not, in good faith, *paid* in as prescribed in the law—if its discounts, or accommodations, by whatever

\*We had here given a note, going into some of the particulars stated, as to the outrageous, if not *rascally*, uses of credits alluded to—but the insertion of these would have rendered it just that the other side should be shewn, as facts shall be stated. We wish to avoid the necessity of proceeding into details—but cannot refrain from offering a general protest against the parties—be they whom they may. And it is abominable, that the feeble bank of Maryland, with a capital not exceeding 300,000 dollars, and probably less, should have dealt in the *millions* that it evidently did do.

It is time, also, that a *full* statement of the affairs of the bank should be made by the trustees, with specifications of *accommodations*, not within the pale of ordinary business transactions.

We have no personal complaints to make against the bank of Maryland—for, long before its explosion, we thought it a bankrupt concern, and acted accordingly—not trusting it 24 hours to the amount of 50 dollars—but there was nothing absolutely known that would have justified us in *proclaiming* our opinion of it.

name they may be called, shall exceed a certain number of times the amount of the capital truly paid in and remaining active in the bank—if the issues of the bank, and other demands against it, shall more than so and so far exceed the amount of its real capital—every director of the bank shall be rendered personally responsible for all losses that may accrue by the bank, whose charter shall also be instantly forfeited on the establishment of mal-conduct in either respect. But the most shrewd and industrious directors may be deceived—they must depend on the statements of presidents, cashiers and clerks: very well—let such statements be laid before the board every week, signed by the proper officers or clerks, and the directors be relieved of the personal responsibility just above spoken of, by proving the falsity of such statements, which falsehood shall be made a felony, subjecting the author of it to hard labor in the penitentiary for a period of not less than 21 years. Mistakes in such cases cannot be plead, for they cannot be made. But if directors shall disregard the true statements so made, the felony ought to rest with them, and the punishment follow it.

It may be said, that, under such conditions, boards of directors could not be obtained. Perhaps not as now obtained, or in such numbers: but these things would be easily remedied—for persons really interested in the bank, would then be those really directing the affairs of the bank; and names would not be lent so heedlessly as they are now, to lead innocent persons into the snares of credit-mongers.

It is said that the bank of the United States will make \$70,000 by the enhanced value of gold, in consequence of the late laws—having a considerable quantity of coin and bullion in its vaults, ready for the new coins ordered to be made, some of which appear to be already in circulation—or are rather given out to shew as “pocket” pieces, for political effect, and “before the October elections.” So those who accused the officers of the mint with a subserviency to the bank of the United States, in keeping back the coinage, must praise where they blamed! That is an easy operation, however.

But the idea of forcing a gold circulation, and the payment of large sums, in gold, in the every-day negotiations between man and man, is ridiculous. The solvent and well managed banks will gather up the new gold coins, when issued, and retain them, if they please, or give them out in preference to silver coins, if more is to be made by retiring their own notes with them. If the newly established legal value of gold is less than that of silver, the former will be imported and the latter exported, and we shall have what must be esteemed a depreciated currency, though a gold one! On these subjects we take leave to present the following just views of Mr. Binney, taken from his speech in the house of representatives on the 21st June last—

“In his judgment, there was nothing in any of the suggestions that had been made, to justify the extreme valuation now proposed by the chairman of the committee on coins. In regard to this or any other change in the value, there were two remarks that he would submit to the house. In the first place, he did not entertain the opinion that any change would materially increase the metallic circulation of the country. Gold, however estimated, would not, to any extent, take the place of bank paper, while bank paper was permitted by law to circulate as it now did. A traveller might be induced to take gold for his expenses, if he could not obtain paper that would travel with him without loss; and while gold should be a novelty, a few more pieces might be seen in the pockets of the citizens; but the increase of the mass in circulation from these causes would not be considerable. Wherever gold should come, in the present condition of our bank paper, it would in general displace silver without adding to it. This was the first remark he had to submit. The other was, that no change in valuation would produce any considerable increase of specie in the banks. Under the proposed change they would have a greater amount of gold, but at the same time they would have a less amount of silver: Nothing would induce the banks, nor could any thing compel them to keep more of either metal on hand than was necessary to sustain their paper circulation; and what they did keep on hand, whether it should be gold or silver, would be of the same use to them and to the country. Little or nothing was to be gained by the substitution of gold for silver. The mass would not be augmented, though its complexion might be changed. It was, therefore, a delusion to suppose, as had been proclaimed in the public papers, that this bill would give a specie currency to the country; neither would it give increased stability to bank paper. The extent of its effect would be, if gold should be rightly valued, to give the country some more

gold than it previously had, and to about the same extent to diminish the silver; and it would also give to the holder of gold its real value immediately in every transaction, without compelling him to seek it through a transaction with a broker. If over valued, its effect would be to enable a debtor to pay his present debts with less than he owed, and to that extent consequently to defraud his creditor; and it would, if considerable, place silver exactly in the condition in which gold now was, and make it an article of trade, instead of currency. In the end, we might have to change the relative value of the two metals to keep silver here, as we now proposed to do to keep the gold. It had not, indeed, occurred to him that it was as important as some had thought to raise gold even to what he admitted to be its true proportional value. The real value had always been obtained, and would continue to be obtained, by the American holder, in the shape of a premium in the market, and this with out any law for the purpose, except the law of commercial exchanges. Indeed, it was from this very premium that its true value, when compared with silver, was obtained. It would facilitate the gain of this premium by the holder of gold, to raise the legal value of gold to the same extent or thereabouts, and to this extent he was willing to go, but not beyond it.”

The new coinage, however, was commenced on the 1st inst. as we learn by the following official statement.

NEW GOLD COIN.

Treasury department, August 2d, 1834.

The annexed letter will enable the public readily to distinguish the new from the old coins.

As the date could not, by law, be altered, but the cap and motto might be legally omitted, and would serve plainly to distinguish the new impression, that course has been adopted at the mint till the commencement of the next year, when the motto will probably be restored, and the date of the new year, instead of the omission of the motto, will be found sufficient to indicate the change in the coin.

Mint of the United States, Philadelphia 1st Aug. 1834.

Sir: I have the honor to inform the department, that the coinage of gold, according to the new ratio of gold and silver, commenced this morning, being the earliest day permitted by the provisions of the act.

In making this communication, it may be satisfactory to recollect to the peculiarities by which new gold coins are to be distinguished from those of former issues. They are the following:

On the face, the new coins will be readily distinguished by a head of liberty, disencumbered of a cap.

On the reverse, the surplus motto “E pluribus unum,” which for many years has occupied a portion of the disk above the eagle, is now omitted.

These changes, independently of the facility to be derived from them, to distinguish the future from the past emission of our gold coins, are recommended by a nearer adherence to the provisions of the law, as well as by the rules of taste and classic authority. The views in these respects, presented in my communication of the 9th ult. having met your approbation, will, I doubt not, be sustained by the judgment of the public.

In regard to the omission of the motto above referred to, the same improvement was introduced in the quarter dollar in 1831, the subject having, by communication of the 29th January of that year, been submitted to the president, through the department, and approved.

The eagle of the former issues weighs 270 grains, the half eagles 135 grains, and the quarter 67½ grains. The eagle under the present law, will weigh 258 grains, the half eagle 129 grains, and the quarter 64½ grains. These weights are recited because desirable to be kept in mind, rather than as affording a further criterion of distinction between the two classes of coins—since an inspection, much more cursory than that of weighing, will distinguish them by the preceding characteristics.

The eagle and half eagle of the new coinage will be less in diameter than those of the former emissions, and that in a greater proportion than the diminution of weight would indicate. This however, though a decided amendment of our coinage, is of less value as a distinctive mark, since the comparison would require the presence of coin of both classes.

I have the honor to be, with great respect, your obedient servant,  
SAMUEL MOORE, director of the mint.  
Hon. Levi Woodbury, secretary of the treasury.

We have prepared, and expect to publish next week, the aggregate results, and by states, of the censuses of 1790, 1800, 1810, 1820 and 1830, to shew, at once, the condition, progress and location of the population of the United States and the territories, accompanied by certain estimates and elucidatory remarks. A good deal of labor has been expended on the tables, and we think that they will be useful, as well as amusing, to many of our readers, if they will take the trouble to examine them.

It is seen with regret that liberty has been deprived of her cap, and that the words “E pluribus unum” are omitted on the new gold coins. There is an apparent hurry in getting out these coins, as there was in the passage of the bills, that seems rather to look to party

politics than to the soundness of the currency of the country; and all sober men will agree that nothing of this sort should be done "foreeffect." They are serious matters, and ought to be accomplished with great deliberation. But the "misery" is, that almost every thing now runs into the "politics of the day." Even the questions concerning the protection of national industry and internal improvements, were forced into *personal party matters!*

We believe in the "right of instruction"—but do not believe that it can be rightfully used on ordinary occasions, or concerning questions that belong to transient political parties, and especially with respect to members of the senate of the United States—that body, by its construction and constitution, being designed *not to resist the public opinion clearly ascertained*, but to preserve stability in the measures of government, and balance party ebullitions, until time is allowed for a careful consideration, or re-consideration, of any measure or project that may be suddenly entertained by an *apparent* majority of the people. This subject, we think, is worthy of a full examination, and, perhaps, we shall attempt to give it one.

Several of the members of the senate were elected, for example, as decided friends of the bank of the United States. Among the most earnest of its supporters were the senators from Pennsylvania, unanimously instructed to stand by the bank! It was nearly thus also with the senators from New Jersey, and others. Is the whole policy of this government, on great national questions, to be changed as accidental changes take place in the *politics* of members of the legislatures of the states? Messrs. *Sprague, Frelinghtysen and Southard*, for instances, have been much abused because not yielding obedience to the instructions of the legislatures of Maine and New Jersey. They said the *people* were with them; and if it shall appear so, at the elections just now about to take place, what defence will be offered in favor of the right in the legislatures named to instruct these gentlemen? And we shall see also what happens as to senators from other states, who voted for or against the bank. Will some of the latter, elected as enemies of the bank, wheel about on a change of the political character, (if it happens), of their respective legislatures?

But we cannot do more at present than suggest these things to the public consideration. We have thrown aside a large collection of sayings about the senate, and intend to review them. "We are republicans of the school of '98"—(in which school, however, many errors were committed that have been, *by republicans*, corrected)—but we are not for tearing every thing into pieces—such as relate to the judiciary, the tariff, internal improvements, or the currency, for examples, on the *whim of the moment*. A child may destroy in one hour, (by fire), a property that it will cost the labor of 100, or 1,000 men a whole year to renew or replace.

The president of the United States made his journey home, very quietly—but at Nashville, preparations had been made to give him a public reception. There are several reports that he is in bad health, greatly emaciated and worn down, and it is added that he was compelled to stop several days on his journey.

Mr. *Clay* has reached his farm, in Kentucky, in high health and good spirits. It surely must be pleasant to public men to retire into the sweets of private life and of home, and there recruit themselves.

Mr. *Sprague*, one of the senators from Maine, having been received on his return home by large bodies of his fellow citizens, and congratulated at several places, has been nominated as the "whig" candidate for governor, at the election to be held next month. The *convention* by which he was nominated is said to have consisted of between 2,000 and 3,000 persons! It was expected that gen. *King*, who was president of this multitude, would have been nominated—but he declined, for reasons given on the occasion. Gen. *King* has been governor of Maine—and the ex-governors *Huntton* and *Smith*, were also present at this convention. The three had been elected by the "Jackson party" in Maine.

The regular elections in Louisiana, Kentucky, Mississippi, Alabama, Indiana, Illinois, Missouri, Tennessee and N. Carolina, have already, we believe, been held—and those of Rhode Island will be held in the present month—but only the result in the first named state is known: those in Vermont and Maine will be held early in September; those of New Jersey, Pennsylvania, Delaware, Maryland, South Carolina, Georgia and Ohio, in October: those of Massachusetts and New York in November, and those of New Hampshire, Connecticut and Virginia are to be held in the spring.

Some very extraordinary agreements and correspondences have taken place between the rival candidates for governor of *Indiana*, Messrs. N. Noble, and J. G. Read. They entered into written articles as to the times and counties that they would visit for *electioneering purposes*, which the latter is charged with having violated, &c. At some places, the parties were to address the people, at others they were not. This shows a practice

"More honored in the breach than the observance;" and gives important advantages to one person who is the best *talker*, over another who may be, by far, the best *thinker* and *doer*. Young lawyers, with brazen fronts and loud voices, might thus put such men as were Washington and Franklin to shame—before the people!

We have received, and given a cursory reading to an "Essay on the interest of money, and the policy of laws against usury," by Thomas R. Dew, professor of political economy, &c. in the college of William and Mary, at Williamsburgh, Va.

The subject is ably handled, and abounds with references to facts and principles, of which it may be said—

"Indocti discant, et ament meminisse periti."

Professor Dew takes a bold and strong ground against the usury laws, notwithstanding the antiquity and general adoption of them. He regards money as merchandise, which every man has a right to sell or purchase on terms that are agreeable to himself, or as shall appear profitable to him in the acquisition of something by the use of money—or the retention of some other thing, which, for the want of money, he may be suddenly or injuriously deprived of. We think that this is the true doctrine on the subject. "Money," whether in coin or credit, has the same natural relation as to price as corn or cotton. The new eagles, unless worth 10 dollars in silver, will not be generally exchanged for ten silver dollars; nor, in the same case, will ten bushels of wheat, worth one silver dollar per bushel, be sold for a gold eagle. So with credits, and especially in the shape of bank notes, on which, with the exception of those issued by the bank of the United States, there is a continually operating tariff—and these, also, in many places, on account of the greater security in them, or much reduced costs of transportations, are worth one or two per cent. more than the legal coins of the country, being, like coin, articles of merchandise—and herein the *principle* of usury is as clearly manifested as in charging 7 or 8 per cent. on loans, when the legal rate is only 6 per cent. But no one will pay such premium on bills of the bank of the U. S. unless believed profitable; and so the rate of interest on money, as Mr. Dew contends, ought to be settled by contract, though, in the absence of a contract, the legal rate should be used in adjustments between lenders and borrowers of money, the value, or rent, of which as much depends on supply and demand as the value of cod fish or tobacco; and persons who think that they can make or save 20 per cent. on money borrowed at 10 per cent. should not be prevented, any more than others who, thinking that they foresee a rise in the market, should be forbidden to give *high prices* for corn or cotton.

These remarks, however, will not extend to that class of money-lenders who are generally called "*shavers*"—and especially such as use certain means, public or private, to produce a scarcity of money that they may prey upon those who need it.

The professor thinks that "bank interest should conform to the ordinary market rate" of interest, and he argues the subject well. The market rate of interest, we understand to be that which is established by law, as a general rule; but, as he shews, this rate is 12½ per cent.

in Illinois, 10 in Louisiana, Mississippi, Indiana and Missouri, 8 in Alabama, 7 in New York, and 6 in the rest of the states—whence the right to limit the bank of the United States to 6 per cent. in all cases, or even to five, as suggested by Messrs. *Calhoun* and *Forsyth*, in the senate? Why should not the local laws be observed as fixing the "market rate" for the bank? In some places, and at certain times, the real market rate is below the legal rate, and high premiums having been paid for five per cent. stocks—at others, the real market rate is far above the legal rate—as it recently was in all parts of the union, until, by restrained expenditures and new enterprises, the demand for money was much and severely lessened, and hundreds of thousands of persons are more or less embarrassed, being deprived of their ordinary means. "Much might be said on both sides." But, if banks become possessed of certain rights or privileges by acts of incorporation, the power to grant them a charter may be rightfully exerted to prescribe its conditions, and the party accepting must abide by them; and we agree that corporations should be restrained. And there is also this important result in them, if honestly and carefully managed—they do much to fix the general market value of money, whether above or below the legal limit of interest that may be demanded, though they cannot, at all times, control it—for banks, like individuals, have sometimes a surplus, and at others a deficiency of means.

The pamphlet before us contains 2½ large octavo pages, and is a valuable acquisition to those who wish to investigate the expediency of the laws against usury—the practical, as well as the moral effects of which are fully considered by Mr. Dew.

Mr. *Whittlesey*, of Ohio, who never speaks in congress "until he has something to say," and then always speaks to the purpose, when the harbor bill was before the house of representatives, among other interesting matters, presented a table shewing the commerce and navigation of the port of Cleveland, on Lake Erie, for 9 years—to wit: from 1825 to 1833, inclusive, as follows, made up from the returns of the collector of the port.

YEARS.	1825	1826	1827	1828	1829	1830	1831	1832	1833
Number of vessels arrived with cargoes.	54	63	75	92	92	92	92	92	81
Number of vessels cleared with cargoes.	54	63	75	92	92	92	92	92	80
Aggregate tonnage of vessels arrived with cargoes.	2,060	2,835	3,000	4,140	4,140	4,140	4,140	4,140	56,950
Aggregate tonnage of vessels cleared with cargoes.	2,060	2,835	3,000	4,140	4,140	4,140	4,140	4,140	56,950
Value of merchandise exported coastwise.	\$50,166	70,875	75,600	103,580	103,580	103,580	103,580	103,580	1,794,000
Value of merchandise imported coastwise.	\$132,645	181,440	192,000	294,000	294,000	294,000	294,000	294,000	4,700,000
Number of vessels arrived from foreign ports.	1	1	1	1	1	1	1	1	1
Number of vessels cleared for foreign ports.	1	1	1	1	1	1	1	1	1
Value of foreign imports.	\$650	4,373	572	4,345	4,345	4,345	4,345	4,345	230,000
Value of foreign exports.	.....	.....	.....	1,475	1,475	1,475	1,475	1,475	.....
Number of steamboat arrivals.	21	21	21	21	21	21	21	21	21
Number of steamboat clearances.	21	21	21	21	21	21	21	21	21
Total number of arrivals, including steamboats.	75	84	76	93	93	93	93	93	82
Total amount of tonnage arrived, including steamboats.	7,310	13,115	13,000	17,750	17,750	17,750	17,750	17,750	252,500

It is as well the progress of internal improvement, as of population, which has caused these wonderful results—and thus will go on yet more to astonish us, unless obstructed by some great national calamity.

Mr. W. gave the following as the gross amount of money that had been expended in the harbors of Ohio: Cleveland, \$34,235 56; Grand river, \$29,598 29; Black river, \$35,734 77; Huron river, \$22,208 71; Ashtabula, \$35,558 75; Conneaut, \$24,810 63; Cunningham creek, \$6,956 00. Aggregate amount, \$189,102 73.

A small sum, indeed, for such important purposes.

Mr. *Ewing*, one of the senators of the United States from Ohio, on his return to Columbus, partook of a public dinner given by a large party of his friends, at which the following regular toasts were drank:

The senate of the United States—It "stood between the living and the dead, and the plague was stayed."

The house of representatives of the United States—A little reform would be a great improvement.

Our distinguished guest, the hon. Thomas Ewing—The intelligent representative of the state and of the people of Ohio—he has proved himself entirely worthy of his high trust. [Called for, and drank a second time.]

The post office department—an Augean stable, which requires, to cleanse it, the power of a second Hercules.

And with reference to the last toast, and in allusion to the abuse that has been heaped upon Mr. *Ewing*, because that he is a "self-made man," having paid for his own education by the labor of his own hands, the following volunteer was given—

The Ohio hostler—He has dug deep into the filth of the *Augean stables*, and carried well the senatorial *stud* of the magician—let him "go away."

And also this—

By *A. Kelley*, president. The people of the state of Ohio—they will correctly instruct those who incorrectly instructed their representatives in the senate of the United States.

A public dinner was recently given to Mr. *Tyler*, of the senate, at Norfolk. The following are some of the toasts given on that occasion:

The senate of the U. S.—Health, happiness and fame to the senator who exposed and defeated the reckless efforts of a willful executive, and of parasites and retainers to reduce it to subserviency.

President Jackson's proclamation and protest—Designed as commentaries on the constitution—They are at war with the instrument, and the voice of a people jealous of their rights, will pronounce their condemnation.

Martin Van Buren—"Uncompromising hostility to his advancement: the honor and interest of the country demand it."\*

At a late party convention held at Haverhill, out of twelve delegates from Newburyport, eight were custom house officers, holding eleven distinct offices.

Mr. *Burges*, of the house of representatives, is spoken of as the anti-Jackson candidate for the senate of the U. States, from Rhode Island, in the place of Mr. *Knight*, whose period of service will expire on the 3d of March next, who does not wish a re-election. If it shall so happen—Mr. *Burges* will be much missed, by friend and by foe, in the house, as one of the ablest debaters that ever it contained. It is not known, however, that he desires the exchange of seats.

It may be mentioned as a curious incident in the conflicts of party politics, that the celebrated gen *Root*, accidentally in the city of New York, being invited, attended a great meeting of "whig" young men, at which, and with great severity, he denounced the general and state administrations. From four to five thousand persons were present at the meeting alluded to.

There is a report that Mr. *Barry* is about to resign the place of postmaster general, and also that col. *R. M. Johnson*, of Kentucky, or col. *Abram Blanding*, of South Carolina, will be his successor.

The Gloucester (Mass.) Telegraph, like many other newspapers, has lately changed its political flag, and says

\*Mr. Van Buren transmitted the following toast to a 4th of July party at Fredericksburgh—  
By the hon. Martin Van Buren—Unqualified and uncompromising opposition to the bank of the United States—the interest and honor of the people demand it.

that, in consequence, "the collector of the customs for the district of Gloucester, has not only taken from us his patronage, but has denied us the privilege of copying from his books, the names of the vessels reported by the boarding officer."

If the fact stated is true, Mr. *Beach*, the collector, has, indeed, "gone the whole." Such a "punishment" was never before thought of, and he should get a patent for it, at once.

The Mississippi state convention has appointed 25 delegates to a convention to be held in Baltimore, in the ensuing autumn, to nominate (Mr. Van Buren, we suppose,) the successor of president *Jackson*. Of the 25, there are four generals, eight colonels, three majors, six esquires, and only *one* Mr. The number of those who hold offices of profit is not stated.

We have published the general report of the visitors of the military academy, at West Point. There are several papers appended, on particular subjects, that we do not think it necessary to insert. It may be mentioned, however, that to most of these is attached some sort of a "protest" by one or two individuals, who knew more about the rightfulness of the establishment and of the interests of the academy, than all the rest of the board!

It is earnestly to be wished that our merchants, and other dealers in exchange, would alter the *terms* in which their sales or purchases are made. The old false par of exchange with London, as established by laws of the United States, was 44¢ cents the £ sterling—and the universal practice was to sell or buy bills at such and such an advance or discount on this arbitrary value—the *real* average par being 8 or 9 per cent. above it. But now, as our legal value of the £ sterling is placed at 480 cents, why not sell exchanges by so many cents to the pound sterling? The people, in their small dealings, have 4½ pennies, their fippeny bits, and six pences, &c. according to the old currencies in the several states, and will long have them; but with the merchants the *reform* proposed may be easily made, and every body interested understands it, or may understand it, in 10 minutes. In addition to there being something *national* in this matter, the calculations are much more easily made.

The last year's export of cotton was the heaviest ever made from the United States, but the current year, (commencing on the 1st October, 1833), will probably be much heavier.

From Oct. 1, 1832 to July 26, 1833, there were exported from Charleston 21,788 bales sea island and 168,598 upland—together 190,386 bales; but from Oct. 1, 1833, to 26th July, 1834, 17,190 bales sea island, and 222,661 upland—together 239,851 bales—increase 49,465 bales. There may be a falling off at other ports.

The Charleston paper has also another table shewing that, in the time above given, in the last year, 276,531 bales of cotton were sent from the southern to the northern ports—but only 240,621 bales in the current year, same time—decrease 36,000 bales. This decrease, however, may either show an altered course of trade or a diminished domestic consumption, but is not conclusive as to either—though a reduced consumption has probably happened, notwithstanding the many new and large cotton mills which were prepared for operation in the prosperous years of 1832 and 1833, and the new demands of a rapidly increasing population.

From what we see stated, our products of cotton are still rapidly advancing, and may soon be expected to amount to 1,500,000 bales—and yet the price is a rather high one! We were of those who thought that there would soon be an end to its *increased* production—placing some limits to the progress of scientific power, as applied to its manufacture. We still think that the *price* must decline; but the *quantity* required seems yet without bounds, the reduced and *reducing* cost of cotton fabrics continually adding to the consumption of the material. The inhabitants of the earth owe more of their comforts to a humble Yankee schoolmaster, *Whitney*, the inventor of the cotton gin, and an English barber, *Arkwright*, the inventor of the spinning jenny, than

to *all* the mere conquerors that the world has seen. Yet, in the doctrines of *Cobbett*, the first should have remained a ploughman on his father's farm and the other been content with shaving off men's beards. Cobbett has some disciples in the United States. One of the strongest minded and most useful members of our senate, and one of the most unassuming gentlemen to be met with, is called the "*Ohio hostler*," by persons produced, perhaps, in the foulest sources of population, and "raised" in so great obscurity that nobody knows more of them than their *present* prostitutions, or will remember them after they shall be "used up" in the filthy purposes to which they are assigned. And what may not be said of Mr. Cobbett himself, in these respects?

Oliver Evans prophesied that the time would come when steam engines would be used for the common purposes of housewifery, and that there would be one in every large establishment, for washing clothes, scrubbing floors, churning butter, and other purposes! And the *New York Times* says—

Small portable steam engines, three feet square, have been invented, which, at an expense of a tender and one hundred weight of coals per day, lift two tons and a half of brick and mortar daily, to the height of a four story building. The whole apparatus can be carried on a cart.

A Poughkeepsie paper of July 30, says—

An eastern manufacturer recently purchased the fleeces of the superfine flock of Saxony sheep belonging to Henry Swift, esq. of our village, at, as we understand, 75 cents, and other inferior lots of Saxony have been sold at 55 to 62½ cents. Merino and lower grades are still neglected. The demand is steady and to manufacturers only. Large shipments are now being made for the east.

A law having been passed in Tennessee against gambling, making the exhibition of the game of faro punishable by fine and imprisonment in the penitentiary—it was attempted to avoid the law by making some changes in the game, and calling it "forty-eight." The courts have ruled that it is the same game, in the meaning of the statute, and sentenced a person accordingly to two years confinement.

About 204,000 tons of coal had arrived by way of the Schuylkill and Delaware, in the present year, up to the 1st August, or 75,000 tons less than at the same time last year; and the stock on hand at Philadelphia is heavy.

Balloons must soon lose all pretensions to novelty in our cities, so numerous are candidates for fame—in rising.

Mr. *Ash*, of Baltimore, made a beautiful ascension in his balloon, from Anasotin island, in the District of Columbia, on the 30th inst. in the presence of many thousand spectators.

And Mr. *Durant* made one at Boston in the evening of the 31st ult. He ascended a mile and a half, and travelled 30 miles, in a direct line, in 1h. 10m. and fell into the sea 10 miles from Marblehead, where he was happily picked up by a schooner, soon after his descent. It is supposed that from 20 to 30,000 persons were present to witness his ascension.

Mr. *Parker*, also, made a second ascent from Fair Mount, Baltimore, on Wednesday afternoon, accompanied by a young lady.\* He rose to a great height over the city, and the upper current of air carried him south some distance below Fort McHenry, when, having descended, he met with another current of air which carried him north; but the balloon having lost much of its ascensive power, fell until the car touched the water of the river, in the ship channel, between the fort and Fell's Point. Many boats were immediately at hand—but the young lady being taken from the car, it was so managed, by ropes, that the balloon, yet inflated, with Mr. Parker in his place, was towed over the tops of the houses, to Fair Mount, from whence it started. This balloon, soon after its ascent, took a rotary motion, and continued it for

\*The one originally designed to ascend, was too heavy—the heat of the weather, or something else, having prevented the acquisition of the ascensive power desired—and she reluctantly resigned her place to a young girl, who waved her flag without seeming apprehension of the danger to which she was exposed.

a considerable time. It was a grand exhibition—but such things are not new to us.

The supreme court of errors, at Brooklyn, Connecticut, has decided that a certain law of that state is constitutional, inasmuch as blacks are not citizens within the meaning of the constitution of the United States, and the jury returned a verdict against Miss *Crandall*, on account of her school, &c. The defendant's counsel, however, filed a bill of exceptions, and the case lies over for further argument.

We have more than once mentioned Mr. *Burden's* steamboat, and regret to hear that, just when the value of his invention was about to be fairly tested, she has been wrecked—

We are sorry to learn, says the Albany Evening Journal, that the injury to Mr. *Burden's* steamboat is more serious than we supposed yesterday. Both cylinders are entirely destroyed. The loss, we understand, will not fall below \$25,000. Nor did the accident occur as we first heard. The channel was obstructed by vessels, between one of which, and the dam, the boat had to pass. Finding the passage too narrow, the pilot first rang his bell to "stop her," and then to "go back." The last bell the engineer mistook for one to "go a head," which brought her up on the dam.

Mr. *Wilde* in a late speech, quoting from some friend says—"Putting down corruption by employing state banks in the place of the bank of the United States, is like promoting temperance by establishing five hundred grog shops in place of one wholesale grocery." [*Aug. Set.*]

Mr. *Tipton*, of the senate of the United States, has addressed the people of Indiana, at considerable length, on the state of public affairs, from which the following is extracted:

"A bill passed both houses of congress appropriating money to improve the navigation of the Wabash river, but to this bill, so important to Indiana and Illinois, the president of the United States has seen fit to refuse his sanction. This extraordinary procedure is, in my opinion, irreconcilable with his approval of bills for improving the navigation of the Cumberland and the Hudson rivers, unless the advocates of this policy seek to shelter themselves by claiming more for rivers watering the states of Tennessee and New York than they are willing to allow to the rivers of Indiana and Illinois.

"This is a subject that addresses itself to the sober senses of every man in the community, who takes any interest in the growth and prosperity of the west. The people of Indiana would do well upon all future occasions to pause before they lend a blind support to men of doubtful politics; for if we give up internal improvements, a protective tariff, and the regulation of the currency, what is left us worth contending for?

"Had the bill for improving the Wabash become a law, we could truly have said that more had been done for Indiana this year, than during any former session of congress, excepting, perhaps, that of 1826-7, when the grant of land was obtained for our canal. Its failure is in no wise attributable to inattention or want of exertion on the part of your delegation, and must be deeply deplored by every friend of the state.

"Let us not despair, however, of ultimate success in our laudable undertakings to improve our country by constructing canals and removing obstructions to the navigation of our rivers. We have commenced and have a right to look for aid from the general government, and the opposition of no one individual, however elevated he may be, can long resist the will of the freemen of the west, when expressed through the ballot boxes. Your most obedient servant,  
JOHN TIPPON."

The line between constitutional and unconstitutional appropriations of money for making public improvements, has been so finely drawn, in latter years, that we know not where it lies. The Hudson being a tide-water stream, perhaps, may not stand precisely in the same case as the Wabash—but it is difficult to say in what respect the character of the Wabash differs from that of the Cumberland! And if tide-water works such great distinction, no claims for appropriations should be preferred on behalf of the mighty rivers of the west! To them the decree of the council of Castile may be applied—"if God had intended that they should be navigated, he would himself have made them navigable!"

The New York Star announces the death of judge *JOHNSON*, of South Carolina, at Brooklyn, on Monday, under the following circumstances:

He had arrived here some weeks ago, for the purpose of placing himself under the charge of an eminent medical practition-

er of this city, having for some time suffered with an affection of the jaw, to eradicate which it required he should undergo the most painful surgical operation. Dr. Mott, of this city, was selected for the purpose, who expressed his opinion of the inability of the judge to survive the operation. With a knowledge of the expression of the surgeon, he still determined upon placing himself under his hands; and without the aid of friends, or being bound, he submitted, with the utmost fortitude and calmness, to the most excruciating tortures; but in the course of half an hour after the completion of the doctor's labors, he died of exhaustion, produced by the sudden re-action of the nerves, which had been excited to their utmost power in buoying up his mind throughout the whole of the operation. The judge was in his 64th year, and was an associate justice of the supreme court of the United States.

The remains of judge *Johnson* were interred with the highest marks of respect.

Died, at his residence near Lawrenceburgh, Indiana, on the 27th ult. col. *Zebulon Pike*, aged 83 years. He was a brave captain in many of the battles of the revolution, a colonel in St. Clair's expedition against the Indians, and father of gen. *Pike*, killed at York, in the last war—and one of the benefactors of mankind.

Several horrid accidents have lately happened by the use of the spirit gas lamps. We do not much deal in "tales of terror"—but the following narrative, from the "New York Courier" of Monday last, is inserted at length, by way of record, and as a fearful caution.

On Saturday night, between the hours of 12 and 1, Mr. John Signer, grocer, of 161 Anthony street, having closed his store took a small lamp which was burning, to replenish it with that highly dangerous and inflammable liquor composed of alcohol and spirits of turpentine. Having unscrewed the top of the lamp, he laid the wick still burning on the counter, and brought the can containing nearly a gallon of the compound, from which he attempted to pour a quantity into the lamp.

In an instant the flame from the wick communicated with the liquor which caused the can to explode, and covered the unfortunate man with its burning contents. His wife on hearing his cries hastened to his assistance, and in a moment was also wrapt in flames from head to foot. A young woman living with them, named Eliza Reynolds, was in the store at the moment of the explosion, and endeavored to extinguish the flames, but her own dress having caught fire, she was so badly burnt that she will probably lose the use of one of her eyes.

Except two infant children, there were no other persons in the house, and the whole family would have been burnt to death had not a young man named James, a pilot, who was passing at the time, and heard the shrieks of the sufferers, burst open the door, and rushing in, smothered the blaze on the dress of the servant girl.

Mrs. Signer ran into the street with her clothes burning, and fell down screaming on the side walk. One or two persons came to her assistance, and wrapped a blanket and other bed coverings about her person, all of which were literally burned through before the flames were completely extinguished.

Mr. Signer, maddened with agony, ran to a water butt at the back of the yard, into which he plunged. During all the time he was in flames he never uttered a groan, until his clothes were torn off his body, and the fire smothered. He then sunk down, exclaiming, "Oh God! I am a done man." The poor sufferers were taken and laid on a bed, where they received every attention that medical skill could devise. They lingered in the greatest possible agony for some hours, until death put a period to their misery.

The injury they sustained was almost too shocking for description. Their hair, eye brows and lashes, were entirely singed off, and the whole surface of their body was a complete blister. After death decomposition proceeded so rapidly, that it was deemed advisable to bury them as soon as possible; and by half past eleven o'clock they were both laid in the grave.

During the months of May, June and July, 4,209 foreigners, chiefly Germans, arrived at Baltimore. Nineteen vessels lately arrived at Quebec, in two days, with 2,194 emigrants, chiefly Irish. Nearly 35,000 have arrived at New York, and many at other places, in the present season—and it seems reasonable to believe that the United States and Canada will have received more than 100,000 Europeans before the end of the present year—perhaps a much larger amount, for it is said that 60,000 were prepared to leave Bremen, only! Many of the latter are well provided for—though we had several shipments of disgusting paupers or beggars from Germany, a year or two ago.

A large party of emigrants, among whom is gen. *H. A. S. Dearborn*, late a member of congress from Massachusetts, was about to leave New England, and settle

in Illinois. The "northern hive" has already, perhaps, furnished about one-half the present population of New York, and of the western states, generally.

A few cases very closely resembling the "Asiatic cholera," if not really that disease, have happened in the city of New York, two or three of which terminated fatally; but these were sporadic cases, and it is hoped that an epidemic type will not be assumed.

Several days have elapsed, without the appearance of any new cases—and, though the last weekly bill of mortality shows the large amount of 248 interments, none were caused by malignant or epidemic diseases—132 were under two years old, 39 died of consumption, 30 of convulsions, 11 drinking cold water, 9 apoplexy, and many others suddenly. The continued heat has been very fatal to life.

The health of Quebec and Montreal is said to be much improved—but in the vast crowds of poor emigrants, and in such hot weather, it cannot be expected that these places should be free from a much increased bill of mortality, and on some days 50 or 60 persons are interred at Montreal. The cholera has made its appearance at Toronto (late York) Upper Canada, and the court had been adjourned and jury dismissed, on account of it.

Cases of cholera are mentioned as having happened at Washington, Pa. Wellsburgh, Va., at Rushville and Pekin, Illinois, at Chareton and Liberty, Missouri, and many other places in the west. It is reported that several of the "Mormons" had died of this disease. The health of Cincinnati is not good, but the prevalent diseases are not epidemics, and the cholera cases were on the decline. For the week ending July 23, the deaths by cholera were 23—in the next week there were only 12.

The health of Baltimore is rather better, we think, than it generally is, at this season of heat, and of cucumbers and melons and fruits.

It is officially published that the following banks, in addition to those heretofore mentioned, have been selected by the secretary of the treasury as depositories of the public money:

The Moyamensing bank, in the county of Philadelphia.

The Farmers' and Mechanics' bank of Michigan, at Detroit.

Spain is even yet the "paradise of priests." In the existence of such facts as those stated below, can it be expected that the people of that country should be otherwise than poor and miserable, ignorant and debased, fanatic and superstitious?

A curious statement has been published by one of the papers in Madrid, respecting the number and revenues of the Spanish clergy. From it, it appears that the number of buildings appropriated to religious purposes throughout Spain, is 28,249; that that of the clergy is 159,322, and that of the friars and nuns 96,878. The entire amount of the ecclesiastical revenues is calculated to be \$50,000,000, and of this sum the part consumed by them is shown to exceed the whole revenue of the state by some \$8,000,000.

The infamous general *Moreno* having arrived in England in the train of Don Carlos, a call was made in parliament for certain papers referring to the murder of Mr. Boyd, a British subject, who, with gen. Torrijos, and others, was inveigled by Moreno, and slaughtered by him at Malaga, in 1831. It was believed that the law of nations would not reach this case, Torrijos having contemplated a revolution in Spain—but, it being understood that a personal action, on the part of the friends of Mr. Boyd, would lie against Moreno, he speedily withdrew to the continent.

The following paragraphs relating to New Holland, are interesting—they are taken from late London papers: The ship *Bussorah Merchant*, has arrived at Sydney, New South Wales, with 215 females. A resident of great respectability says—"you would be astonished to see with what avidity the respectable colonists sought the services of these young women; in the first three days about 180 were engaged, and the others will, no doubt, go off immediately. The scene was real-

ly most interesting; it was like a country fair more than any thing else. Such an importation as this, will be to the morals of this country, as so much purified gold; and who knows but from these free women or their descendants we shall have some of the future senators of Australia? English country people are what we want, that is, people to go into the country and labor there; not people from your towns, for they stay about towns, and are dtones in the hive, and commonly worse. I could settle 100 small families on different parts of my estate, give them land and make them comfortable."

A letter from New South Wales gives the following schedule of the property of Samuel Terry, who was sent from England a crown prisoner. Mr. T. has acquired the property since his emancipation. His several estates contain upwards of 100,000 acres. His property in the town of Sydney brings him £10,000 per annum, and his entire income is estimated at six times that amount; this arises chiefly from mortgages at 12 per cent. He has 15,000 sheep, 17,000 head of horned cattle, and 400 brood mares.

The Australian of the 22d May, contains the following account of the present population of New South Wales. About 2,000 are estimated to have arrived since the returns were taken: "The total number at the taking of the census, exclusive of the military, is 55,591. Of these there are 15,518 free male inhabitants above 12 years of age, and 5,068 under that age—19,381 is the number of male convicts, making the total male population of the colony 39,970. Of females, the number free above 12 years is 8,254, under 12 is 4,755—female prisoners 2,612; making in all 15,621 females in the colony, and forming a proportion of nearly 2½ males to one female. Of different religious persuasions there are 38,573 Protestants; 15,165 Roman Catholics; 207 Jews; 41 Pagans; and 1,505 uncertain. The number of free Roman Catholics is 8,168, or about one fourth of the free population. The proportion of Protestants to Catholics, not free, is about three to one.

A company of Quakers have purchased land at the settlement of St. George's sound, New South Wales, to the amount of £30,000.

The British government has resolved to form a new settlement on the southern coast of Australia, near Spencer's gulf, which contains a harbor, named Port Lincoln, of sufficient capacity to contain in its three coves all the navy of England. Captain Stuart, of the 39th regiment, reports that 5,000,000 acres of the richest land he ever saw approximates on St. Vincent's gulf, and abuts on the Murray river, which is navigable for large craft for 100 miles in an easterly direction; Kangaroo island lies off the entrance of these two gulfs, and abounds in salt, fish, seals, kangaroos, and possesses a good soil. The whole lies in latitude from 34 to 36 S. and in longitude E. from 136 to 140. An interesting feature in the establishment is, that all the land is to be sold, and the produce is to be expended in the encouragement of agricultural families to emigrate. It is, according to the evidence of several officers who have examined it, a land of corn, wine and oil.

A great empire is building up in Australia—and its commerce will soon have much influence over the trade and navigation of England; and the people of other nations will feel it. The force of the free emigration will rapidly increase, and gather strength as it proceeds, for the cheapness of land, and the mildness and salubrity of the climate, are strong temptations to the laboring poor. Thus England may be relieved of her surplus population, and her poor rates reduced, while making large profits on the commerce with those that were burthen-some to her.

The British cabinet, as at present composed, consists of the following individuals:

Earl Grey, first lord of the treasury; lord Brougham, lord chancellor; marquis of Lansdowne, lord president; earl of Carlisle, lord privy seal; lord Althorp, chancellor of the exchequer; lord Holland, duchy of Lancaster; lord Palmerston, foreign secretary; lord Melbourne, home secretary; right hon. T. S. Rice, colonial secretary; lord Auekland, first lord of the admiralty; right hon. C. Grant, president of the board of control; lord John Russell, paymaster of the forces; right hon. E. Ellice, secretary at war; right hon. James Abercromby, master of the mint.

The other changes involved in the late resignations and their consequences, are—

Marquis of Conyngham, postmaster general; Mr. Cutlar Ferguson, judge advocate general; Mr. F. T. Baring, secretary of the treasury; capt. Byng, one of the lords of treasury.

LOUISIANA ELECTIONS.

	White.	Deveon.
Plaquemines.....	17	119
St. Bernard.....	163	51
Orleans.....	9:8	249
Jefferson.....	146	49
St. Charles.....	65	48
St. John Baptist.....	100	18

St. James.....	284	110
Ascension.....	226	48
Assumption.....	495	31
Lafourche.....	553	18
Terrebonne.....	155	27
Iberville.....	208	88
East Baton Rouge.....	186	207
West Baton Rouge.....	166	23
Pointe Coupee.....	87	112
West Feliciana.....	37	271
East Feliciana.....	60	490
St. Helena.....	12	264
St. Tammany.....	32	182
Livingston.....	38	139
St. Mary.....	213	92
St. Martin.....	350	43
Washington.....	20	184
St. Landry.....	388	248
Lafayette.....	233	138
Natchitoches and Claiborne.....	278	330
Rapides.....	135	215
Catahoula.....	63	153
Avoyelles.....	209	106
Concordia.....	59	49
Carroll.....	22	83
Ouachita.....		maj. 31
Total,	6,018	4,474
	4,474	

Majority for E. D. White..... 1,544  
 Another account says that Mr. White's actual majority is 1,640.

CONGRESS RETURNS.			
	Johnson.	Gayarre.	Nicholls.
1st district.			
Plaquemines	95	106	3
St. Bernard	16	174	00
Orleans	750	688	12
Jefferson	65	120	00
St. Charles	14	81	00
St. John Baptist	166	66	00
St. James	207	140	47
Ascension	100	4	159
Assumption	480	4	79
Lafourche	389	00	175
Terrebonne	155	1	48
	2,417	1,384	523

Majority (over both) for Mr. Johnson, 510.

2d district.		Chinn.	Ripley.	Woodroof.	J. M. Dredford.	J. Bradford.
Iberville	152	137	7	00	00	00
Livingston	7	55	66	49	00	00
West Baton Rouge	148	35	00	00	00	00
Pointe Coupee	84	65	49	00	00	00
East Baton Rouge	219	153	13	3	00	00
East Feliciana	114	48	18	124	00	00
West Feliciana	69	369	00	111	00	00
St. Helena	00	116	00	135	00	00
St. Tammany	88	38	79	7	00	00
Washington	19	146	26	5	00	00
	900	1,162	258	434	00	00

Ripley's majority over Chinn, 262.		Garland.	Walker.
3d district.			
St. Mary.....	234	76	
St. Martins.....	350	31	
Lafayette.....	234	132	
St. Landry.....	473	164	
Natchitoches.....	223	382	
Claiborne.....	119	202	
Rapides.....	193	123	
Avoyelles.....	66	150	
Catahoula.....	28	77	
Ouachita.....	69	41	
Carroll.....			
Concordia.....			
		1,989	1,378
		1,378	

Majority for Garland, 611

The following lively article from the *New Orleans Courier*, on the result of the Louisiana elections, deserves a record as well for its good humor as its wit.

"Our opponents have beaten us most shamefully; and, to mortify us as much as possible, they mustered a strong force, and with music at its head, paraded the streets until a late hour in the morning, disturbing the slumbers of honest democrats with as unwelcome sounds as ever fell upon their ears. We had got into our second nap, and into a delightful dream about the honors that were to fall to our lot and to the lot of our

friends, in a certain event, when the dream-destroying music passed under our window. 'Hurrah for White!' cried a fellow just as we popped our head out of the casement. 'Hurrah for Dawson!' muttered we, popping our head in again as soon as possible. What a villainous world is this, thought we, at that moment, where one part of the people are so inimical and irreligious, as openly to rejoice at the misfortunes of another; and we settled the thing in our own mind, before we again went to sleep, that if we had been victorious, we would neither have crowed nor cackled, but would have retired to rest as we did under defeat, like peaceful citizens, at an early hour. But there is no accounting for the conduct of some folks. We understand that our contemporary of the Bee was particularly honored by the serenders, and that the 'Dead March' (some say the 'Rogue's') was struck up before his office, and played with great applause. We are no judge of music ourselves, but we thought the tune inflicted upon us was, 'There is no luck about the house.' Be that as it may, it was a very good tune, and very well played—and we are always thankful for small favors. "We have made diligent inquiries, and we cannot learn that there was a single Dawson man concerned in the last night's serenade. 'The Dawson men went to bed as soon as the last vote was counted—some of them a little before; not that they had the horrors, as their enemies maliciously affirm, but that they were indisposed, under the circumstances, to take any part in the proceedings which had for their object the disturbance of their fellow-citizens at the midnight hour. It was highly creditable to them not to do so, and we mention the fact as an example of their punctilious regard for the peace and order of the city.

"We could explain the causes of our defeat in the city election; but as it would not reduce a single vote of the 416 majority given to our opponents, it is just as well, perhaps, to say nothing on the subject. It is true we have been defeated, but we have not been conquered. Our principles are the same, yesterday, to day, and to morrow, and in defence of them, we will die in the last ditch, or suffer martyrdom at the stake."

THE QUADRUPLE TREATY.

Paris, June 19. We have received from Madrid the following copy of the treaty between the four powers:

Her majesty the queen regent of Spain, during the minority of her daughter, Isabella II, queen of Spain, and his imperial majesty, the duke of Braganza, regent of the kingdom of Portugal and of the Algarves, in the name of Donna Maria II:

Perfectly convinced that the interest and safety of the two crowns require the vigorous and immediate employment of reciprocal efforts to put an end to hostilities, which having been at first directed to the overthrow of the throne of her Portuguese majesty, now afford support and protection to the discontented subjects of Spain, their said majesties, desirous at the same time of providing the means necessary for re-establishing peace and internal happiness, and of fixing the future prospects of the two countries upon a solid and reciprocal basis, have agreed to unite their forces, with a view to compel the infante Don Carlos of Spain, and the infante Don Miguel of Portugal, to quit the domains of the latter kingdom.

In pursuance of these conventions, their majesties, the regents, have applied to their majesties the king of the French and the king of Great Britain and Ireland. These two last princes, considering the interest they ought always to take in the safety of the Spanish monarchy, and animated by the most ardent desire to contribute to the establishment of peace in the peninsula as well as in Europe; and his Britannic majesty, considering besides, the special obligations which emanate from his ancient alliance with Portugal, have consented to act as parties to the said treaty.

To this effect their majesties have appointed their plenipotentiaries in the following order:

Her majesty the queen regent of Spain—Don Manuel Pardo Fernandez de Piedad, Conde de Villa Paternary de Florida Blanca, her minister plenipotentiary to his Britannic majesty; His majesty the king of the French—prince Talleyrand, his ambassador at the court of London;

His majesty the king of Great Britain and Ireland—viscount Palmerston, his minister for foreign affairs;

His imperial majesty the duke of Braganza—Don Christobal Pedro de Moraes Sarmiento, his envoy extraordinary to the court of London;

And the plenipotentiaries have agreed upon the following articles—

Art. I. His imperial majesty the duke of Braganza, in the name of queen Donna Maria II, engages to put in action all the means in his power to drive the infante Don Carlos from the Portuguese dominions.

Art. II. Her majesty the queen of Spain, on the application and request of his imperial majesty the duke of Braganza, having, besides, very just and very serious reproaches against the infante Don Miguel for the support he has afforded the infante Don Carlos of Spain, engages herself to send upon the Portuguese territory a sufficient number of Spanish troops to co-operate with those of his imperial majesty in compelling Don Carlos of Spain and Don Miguel to quit the Portuguese territory; the queen of Spain engaging moreover, to support, on her own account, and without any charge upon Portugal, the Spanish troops, which shall every where be received and treated in the same manner as the troops of his imperial majesty the duke of Braganza. And her majesty engages to withdraw her troops

Had J. M. Dredford



from Portugal immediately after the expulsion of the two infantas shall be accomplished, and when the presence of these troops shall be no longer required by her most faithful majesty of Portugal.

Art. III. His majesty the king of Great Britain engages to co-operate, by employing a naval force to second these operations and other measures rendered necessary by this treaty.

Art. IV. In case the co-operation of France shall be deemed necessary by the high contracting parties, his majesty the king of the French engages to do all which his august allies shall in common accord determine upon.

Art. V. The high contracting powers have agreed that in consequence of the terms of the preceding articles, a declaration shall be immediately issued, announcing to the Portuguese nation the principles and objects of the present treaty; and his imperial majesty the duke of Braganza, animated with a sincere desire of effacing the remembrance of the past, and of rallying around the throne of his daughter the whole nation, declares his intention of publishing a general and complete amnesty in favor of all the subjects of her most faithful majesty who shall within a time to be fixed return to their allegiance. And the said regent also declares it to be his intention to insure to the infant Don Miguel, as soon as he shall have left the Portuguese and Spanish territories, an income suitable to his rank and birth.

Art. VI. Her majesty the queen of Spain, by this present article, declares her intention to insure to the infant Don Carlos, as soon as he shall have left the Portuguese and Spanish territories, an income suitable to his rank and birth.

Art. VII. This present treaty shall be ratified and ratifications exchanged at London in a month, or sooner if possible.

In faith of which, the four above named plenipotentiaries have herunto affixed their hands and seals at London, this 22d day of April, 1834.

Signed,

MIA FLORES,  
TALLEYRAND,  
PALMERSTON,  
MORAES-SARMENTO.

SPANISH REGULATIONS OF TRADE.

The following royal order issued by the Spanish government, regulating the trade between Spain, and other countries, particularly South America, has been received by the department of state, and translated for the information of the public:

ROYAL ORDER.

Madrid, May 6th, 1834.

Her majesty, the queen governess, in consequence of the observations made by the intendend of Havana, respecting the royal order of November 25th 1830, imposing various additional duties on colonial productions according to the port from which the vessels carrying them may sail, or to which they may be bound; and having examined the proceedings of the general direction of duties, and of the board of tariffs upon this subject, has been pleased to ordain as follows:

1. The productions of the dissident provinces, situated north of the equator, which come directly to the ports of entry of the peninsula in foreign vessels, shall pay, over and above the duty fixed for foreign flags by the tariff of February 21st, 1828, one third more, as well as the duty established by the royal order of June 7th 1830.

2. The same productions of the dissident provinces situated south of the equator, coming directly to the ports of entry of the peninsula in foreign vessels, shall pay four-fifths of the duty to which the tariff of February 21, 1828 subjects foreign flags, as also the duty imposed by the royal order of June 7th, 1830.

3. Productions coming from foreign ports of America and the West Indies, under a foreign flag, to the ports of entry of the peninsula, shall pay the duties prescribed by the tariff of imports.

4. The productions of the dissident provinces, situated either north or south of the equator, and those of the colonies and foreign countries, which arrive in the ports of entry of the peninsula, coming from the warehouses of Havana or Porto Rico, under register from the same, shall pay, over and above the duties fixed by the tariff of February 21, 1828, one-fifth more, and the additional duty imposed by the royal order of June 7th, 1830, provided they have not touched at any foreign port during their passage. If they shall have touched at any foreign port during their passage, unless from stress of weather or damage, they shall pay the duties prescribed by the tariff of imports.

5. If the same productions be brought from the said warehouses, under the Spanish flag, without touching at any foreign port on the passage, they shall simply pay the duties of the tariff of Feb. 21st, 1828, and the additional duty imposed by the royal order of June 7th, 1830. Should they, however, have touched at any foreign port on the passage, except from damage or stress of weather, they shall be considered as coming from that port.

6. Productions of the dissident provinces, colonial productions, and those of foreign countries, coming directly from foreign ports in Europe, either under the Spanish or foreign flag, shall pay the duties established by the tariff of imports, and one-third more, as also the duty imposed by the royal order of June 7th, 1830.

7. These dispositions shall take effect 120 days after the date of this royal order, as regards the provinces south of the equator; and 60 days after date of the same, for those lying north of that line. (Signed) IMAZ.

COBETT ON EDUCATION.

We present the remarks of the famous royalist or jacobin, William Cobbett, on the education of the poor, made in the British house of commons, on the 3d June last, for several reasons—but especially because, that he is now much lauded by certain persons in the United States, who have suddenly become his friends.

The remark concerning the state of crime in New York, may be true, as stated by the honorable member—(though we, knowing him of old, want something better than his word for it), and yet the inference which he draws from it is altogether false—for there are very few native American citizens who have not been educated, and hence the comparison does not apply.

House of commons, 3d June.

Mr. Roebuck having developed his proposition respecting a national system of education—

Mr. Cobbett expressed himself satisfied that the scheme suggested by the honorable and learned member for Bath would not be productive of any good, and this he thought he could show the house. On the subject of education in this country, it was not philosophy or reasoning that could guide, but recourse ought rather to be had to experience. Every body knew that within the last 35 years Lancasterian and other schools had been founded, and education had increased twenty fold; but experience showed that the morals of the people had not improved with the increase of education. It had even been admitted that night that drunkenness had increased wonderfully within latter years, so that education did not even prevent drunkenness. ("Hear," and a laugh). He repeated that all this increase of education had not been productive of any good, and he ventured to say that there was not a single country gentleman who would not say that the fathers of the last generation made better laborers, better servants, and better men than their sons of the present generation. This proved that the laboring classes were much better without that intellectual enjoyment, which the honorable and learned member for Bath was anxious to increase to them, than they were with it. What also was the state of crime in England and Wales now, as compared with its amount at the period the education of the lower orders of the people began? Why, the proportion was now at least four if not seven times as great as it was when education commenced.

[An honorable member intimated that the increase of crime was ninefold.]

Mr. Cobbett resumed. So much the better for his (Mr. Cobbett's) argument. Within the same period, too, the number of hasters had increased to a most prodigious extent, so that in this respect the morality of the people could not be said to have been advanced by education. The hon. and learned member for Bath had contended that the system of education in this country was wrong altogether, and had instanced, as an example worthy of imitation, the state of things in New York, in America, where he had said half a million of human beings were educated, and in the full tide of enjoyment of intellectual matter. He would tell the honorable and learned member the state of things in the district on the condition of which he relied. He (Mr. Cobbett) had written to New York for information since the subject was under consideration last year, and he had received an account signed by the recorder of New York, which, though he had it not now with him, he would produce to-morrow to the honorable and learned gentleman. This account embraced a comparative statement of the number of educated criminals and the number of uneducated criminals, and showed a very considerable majority of the former over the latter. So much for education preventing crime either in America or in England. It was a good people, and not a gabbling people, that was wanted in this country, and this smattering of education would only raise the laborers of this country above the situations best suited to their own interests and those of their families. It would put into their heads that they were not born to labor, but to get their living without it. ("Hear," and a laugh). By the plan suggested by the honorable and learned member for Bath, the child of the laborer could not complete his education until he was at least 15 or 16 years of age; but in the mean time he should be glad to know who was to keep a great eating, and drinking, and guzzling boy (laughter)—who was to find him with provender all that time? (Renewed laughter). Who was to satisfy his body while his intellects were being filled? (Loud laughter). The honorable and learned gentleman had said, that the laborer's boy was to receive instruction after the day's labor was over; but if the honorable and learned member knew any thing of labor, he would rather prefer going to sleep. In short, if all were to be scholars, it would be necessary for the whole population to shut up their mouths and determine to eat no more. The interference with labor would be the very worst course which could be pursued by the legislature. By useful employment the youth gained habits of obedience and industry; but send him to school to a drunken master, or to a sober connected coxcomb of a schoolmaster, and he would only learn habits of idleness, and become too great in his own conceit to labor—sufficient schools were already established for all useful and beneficial purposes, though he admitted that some abuses prevailed.

"THE LANDING OF THE FATHERS."

The following extract from Bancroft's history of the United States, is a specimen of the work; and cannot fail to strengthen

the inclination of our readers to possess and peruse entirely that interesting publication.

*The Pilgrims.* And now [1630] the English at Leyden, trusting in God and in themselves, made ready for their departure. The *Speedwell*, a ship of sixty tons, was purchased in London; the *Mayflower*, a vessel of one hundred and eighty tons, was hired in England. These could hold but a minority of the congregation; and Robinson was therefore detained at Leyden, while Brewster, the teaching elder, conducted the emigrants. Every enterprise of the Pilgrims began from God. A solemn fast was held. "Let us seek of God," said they, "a right way for us, and for our little ones, and for all our substance." Anticipating their high destiny and the sublime doctrines of liberty, that would grow out of the principles, on which their religious tenets were established, Robinson gave them a farewell, breathing a noble spirit of Christian liberty, such as was hardly then known in the world.

"I charge you before God, and his blessed angels, that you follow me no farther, than you have seen me follow the Lord Jesus Christ: The Lord has more truth yet to break forth out of his holy word. I cannot sufficiently bewail the condition of the reformed churches, who are come to a period in religion, and will go at present no further than the instruments of their reformation. Luther and Calvin were great and shining lights in their times, yet they penetrated not into the whole council of God. I beseech you, remember, 'tis an article of your church covenant, that you be ready to receive whate'er truth shall be made known to you from the written word of God."

The pilgrims were accompanied by most of the brethren from Leyden to Delft Haven, where the night was passed "in friendly and Christian converse." As the morning dawned, Robinson kneeling in prayer by the sea side, gave to their embarkation the sanctity of a religious rite. A prosperous wind soon wafts the vessel to Southampton, and, in a fortnight, the *Mayflower* and the *Speedwell*, freighted with the first colony for New England, leave Southampton for America. But they had not gone far upon the Atlantic, before the smaller vessel was found to need repairs; and they entered the port of Dartmouth. After the lapse of eight previous days, they again weighed anchor; already they are infurting their sails on the broad ocean when the captain of the *Speedwell*, with his company, dismayed at the dangers of the enterprise, once more pretends, that the ship is too weak for the service. They put back to Plymouth to dismiss their treacherous companions, though the loss of the vessel was "very grievous and discouraging." The timid and the hesitating were all freely allowed to abandon the expedition. Having thus winnowed their numbers of the cowardly and disaffected, the little band of resolute men, some with their wives and children, in all but one hundred and two souls, went on board the single ship, which was hired only to convey them across the Atlantic; and on the 6th day of September, 1620, thirteen years after the first colonization of Virginia, two months before the concession of the grand charter of Plymouth, without any warrant from the sovereign of England, without any useful charter from a corporate body, the passengers in the *Mayflower*, under the guidance of a faithless captain, who had received a bribe to thwart their purposes, set sail for a new world, where the past could offer no favorable auguries.

Had New England been colonized immediately on the discovery of the American continent, the old English institutions would have been planted under the powerful influence of the Roman Catholic religion; had the settlement been made under Elizabeth, it would have been before activity of mind in religion had conducted to a corresponding activity of mind in politics.—The pilgrims were Englishmen, Protestants, exiles for religion; men disciplined by misfortune, cultivated by opportunities of extensive observation, equal in rank as in rights, and bound by no code but that which was imposed by religion, or might be created by the public will.

The eastern coast of the United States abounds in beautiful and convenient harbors, in majestic bays and rivers, the first Virginia colony, sailing along the shores of North Carolina, was, by a favoring storm driven into the magnificent bay of the Chesapeake; the Pilgrims, having selected as the place for their settlement the mouth of the Hudson, the best position on the whole coast, were by the treachery of their captain, conducted to the most barren and inhospitable part of Massachusetts. After a long and boisterous voyage of sixty-three days, during which one person had died, they espied land, and in two days more, were safely moored in the harbor of Cape Cod. Dutch cupidity and English intolerance combined to effect the first settlement of New England.

Yet before they landed, the manner in which their government should be constituted, was considered; and, as some were observed "not well affected to unity and concord," they formed themselves into a body politic by a solemn voluntary compact.

"In the name of God, amen; we whose names are underwritten, the loyal subjects of our dread sovereign king James, having undertaken for the glory of God, and the advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents, solemnly and mutually, in the presence of God, and of one another, covenant and combine ourselves together, into a civil body politic for our better ordering and preservation, and furtherance of the ends aforesaid; and by virtue hereof, to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and officers, from time to

time, as shall be thought most convenient for the general good of the colony. Unto which we promise all due submission and obedience."

This instrument was signed by the whole body of men, forty-one in number, who, with their families, constituted the one hundred and one, the whole colony. "the proper democracy," that arrived in New England. John Carver was immediately and unanimously chosen governor for the year.

Men, who emigrate, even in well inhabited districts, pray that their journey may not be in the winter. Wasted by the rough and wearisome voyage, ill supplied with provisions, the English fugitives found themselves, at the opening of winter, on a barren and bleak coast, in a severe climate, with the ocean on the one side and the wilderness on the other. There were none to show them kindness or bid them welcome. The nearest French settlement was at Port Royal; it was five hundred miles to the English plantation at Virginia. As they attempted to disembark, the water was found so shallow, that they were forced to wade; and in the freezing weather, the very act of getting on land sowed the seeds of consumption and inflammatory colds. The bitterness of mortal disease was their welcome to the inhospitable shore.

The season was already fast bringing winter, and the spot for the settlement remained to be chosen. The shallop was unshipped, and it was a real disaster to find, that it needed repairs. The carpenters made slow work, so that sixteen or seventeen weary days elapsed before it was ready for service.

But Standish and Bradford, and others, impatient of the delay determined to explore the country by land. "In regard to the danger," the expedition "was rather permitted than approved." Much hardship was endured; but what discoveries could be made in Truro and near the banks of Paomet creek? The first expedition in the shallop was likewise unsuccessful; "some of the people that died that winter, took the original of their death" in the enterprise; "for it snowed and did blow all the day and night, and froze withal." The men, who were set on shore, "were tired with marching up and down the steep hills and deep valleys, which lay half a foot thick with snow." A heap of maize was discovered; and further search led to a burial place of the Indians; but they found "no more corn, nor any thing else but graves."

At length the shallop was again set out, with Carver, Bradford, Winslow, Standish, and others, with eight or ten seamen. The cold was severe; the spray of the sea froze as it fell upon them and made their clothes like coats of iron. That day they reached Billingsgate point at the bottom of the bay of Cape Cod, on the western shore of Wellfleet harbor. The next morning the company divided; those on shore find a burial place, graves, and four or five deserted wigwags; but neither people, nor any place, inviting a settlement. Before night, the whole party, met by the sea-side, and encamped on land together near Namskicket, or Great Meadow Creek.

The next day they rose at five; their morning prayers were finished; when, as the day dawned, a war whoop and a flight of arrows announced an attack from Indians. They were of the tribe of the Nausites, who knew the English as kidnappers, but the encounter was without further result. Again the boat's crew give thanks to God, and steer their bark along the coast, for the distance of fifteen leagues.—But no convenient harbor is discovered. The pilot of the boat, who had been in these regions before gives assurance of a good one, which might be reached before night; and they follow his guidance. After some hours' sailing, a storm of snow and rain begins; the sea swells; the rudder breaks; the boat must now be steered with oars; the storm increases; night is at hand; to reach the harbor before dark, as much sail as possible is borne; and the mast breaks into three pieces; the sail falls overboard; but the tide is favorable. The pilot, in dismay, would have run the boat on shore in a cove full of breakers; "about with her," exclaimed a sailor, "or we are cast away." They get her about immediately, and passing over the surf, they enter a fair sound; and get under the lee of a small rise of land. It is dark; and the rain beats furiously; yet the men are so wet and cold and weak, they slight the danger to be apprehended from the savages, and, after great difficulty, kindle a fire on shore.

Morning, as it dawned showed the place to be a small island within the entrance of a harbor. The day was required for rest and preparations. Time was precious; the season advancing; their companions were left in suspense. The next day was the "Christian Sabbath." Nothing marks the character of the pilgrims more fully, than that they kept it sacredly, though every consideration demanded haste.

On Monday, the eleventh day of December, old style, the exploring, forefathers land at Plymouth. A grateful posterity has marked the rock, which first received their footsteps. The consequences of that day are constantly unfolding themselves, as time advances. It was the origin of New England; it was the planting of the New England institutions. Inquisitive historians have loved to mark every vestige of the pilgrims; poets of the purest minds have commemorated their virtues; the noblest genius has been called into exercise to display their merits worthily, and to trace the consequence of their daring enterprise.

The spot when examined, seemed to invite a settlement, and in a few days, the *Mayflower* was safely moored in its harbor. In memory of the hospitalities, which the company had received at the first English port, from which they had sailed, this oldest New England colony obtained the name of Plymouth. The

system of civil government had been established by common agreement; the character of the church had for many years been fixed by a sacred covenant. As the pilgrims landed, their institutions were already perfected. Democratic liberty and independent Christian worship at once existed in America.

#### DEBATE ON THE POST OFFICE,

In the senate, on the evening of June 27.

Mr. Webster said, that he thought great credit was due to the committee for the labor, diligence and ability, which its members had bestowed on the subject referred to them. They have now made a report of a very serious character, containing explicit charges of mal administration, and accompanied by the evidence on which those charges are founded. Two members of the committee have made a report, or presented a paper, of their own, in which they undertake in some instances to defend, and in others to excuse, the conduct of the postmaster general, and other persons employed in the department. Now, sir, (said Mr. W.) in an affair so complicated, where there are so many charges, and so much evidence, the first question to be asked, is, are any of these charges admitted to be true, by the friends of the administration, and if any, which? And, as to the rest of the charges, are they all denied or contradicted, or are some of them, and, if any, which, left without denial or contradiction? The honorable chairman of the committee, (Mr. Grundy), who does not agree in the report of the committee, but is one of the two members who signed the other paper called the report of the minority, has addressed the senate repeatedly, on the subject of these charges. Some of them he has objected to, others he has not attempted to rebut, and of others he has said nothing. The honorable gentleman is friendly to the administration, and to the head of the post office department; and, therefore, perhaps, it was hardly to be expected that he should show great zeal in the prosecution of this inquiry. Yet I think, sir, we had a right to expect from him not only his opinion on all the charges, but also some degree of patriotic indignation, against lawless acts, which he admits to be lawless. Take, for example, the first resolution of the committee, which declares that the postmaster general has borrowed money on the credit of the United States, without any authority of law. The honorable chairman says, he admits the truth of this charge. Admits it? But why does he content himself with admitting it? Does he not regard it as a gross violation of duty? Does he not think it an alarming thing, that the postmaster general should borrow half a million of dollars, in order to cover up the deficiencies of the department, and that he should keep this loan concealed, for years, from the knowledge of congress? As the head of a committee charged to inquire into abuses, and this enormous abuse having been discovered, can the honorable member justify himself by simply saying he admits its existence? Has he no reproof, no word of censure for such a flagrant violation of law? Has he no disapprobation to express, no complaint to enter, in such tones as that the administration shall hear them? No man denies the fact, and none undertakes to defend it. What then? Is the department still to go on in its career, and nothing to be done, any more than if nothing had been discovered? If there were nothing else in the whole report, if that charge stood alone, I cannot conceive how any man can doubt that the department ought to be immediately and thoroughly reformed. The country, if I mistake not, will call for such reformation. As to upholding the administration of the department, with such charges against it proved and admitted, it is more even than the spirit of party devotion can accomplish.

Again, sir, the third resolution distinctly declares that a practice prevails, in the post office, of granting contracts on bids which vary from the advertisements, and of altering contracts, after they are made and accepted; a practice which destroys all competition, and enables the department to give all contracts to favorites. Is this charge denied or admitted? I have not heard the honorable member, the chairman, deny it. Does he acknowledge it to be true? If he does, why does he not tell us, in a plain and direct manner, that this, too, is an enormous abuse, and ought to be reformed? Is such a practice to pass without reprehension? While its existence is detected, discovered and acknowledged, is there to be no rebuke of it?

There is then the sixth resolution, which declares, that extra allowances have been made to contractors, which are unreasonable and extravagant, and out of all proportion with the increase of service. Is this true?

The 11th resolution alleges, in general terms, that the department is deeply in debt, and its affairs in disorder. I have heard no man deny this. None can deny it. The department is deeply in debt; its affairs are disordered, greatly disordered. These extra allowances appear to have lost their original character. Instead of being extraordinary, they have become ordinary. Contractors calculate upon them. The probability of an extra enter into their motives, when they make bids. Indeed it seems of very little importance what bids they make. They are in fact paid just what sums the postmaster general sees fit to pay; and they are generally very well satisfied. From the frequency and the amount of these extras, the constant changing of contracts, it is quite evident that all fair competition among contractors is done away.

Mr. President, the country is awakened to these abuses in the post office, and it will not be, and ought not to be, satisfied without a thorough examination, and an honest and real reform. I give my hearty thanks to the committee for their zeal and in-

dustry. They have had a laborious winter, and are likely to have a laborious summer. Let them go on, fearlessly, and the country will appreciate their services.

Let them explore all the sources of corrupt patronage, let them bring all abuses into the broad light of day. Let them inquire into the number of removals of postmasters, with the alleged cause of such removals. Let them inquire at whose bidding honest and faithful men have been removed, to make way for partisans. Let them ascertain whether it be true that persons here may go into the post office, and require the removal of postmasters by dozens; and whether the postmaster general, as matter of course, complies with such requisitions.

Mr. President, it is due to the committee, it is due to the senate itself, it is due to this highly important subject, that we should express an opinion on some of the leading resolutions reported by the committee. If some are more doubtful than the rest, or require further examination, let them remain for further consideration. But on the plain acknowledged, notorious cases, let us come to a vote. Let us begin with the first, with that which respects the borrowing of the money from banks, without authority of law, or even the knowledge of congress; and let us see whether any one individual member of the senate is prepared to withhold from that proceeding his vote of censure.

Mr. Benton thought the senate ought to defer, for the present, taking a vote on the resolutions. He said, he had had no opportunity of carefully examining the reports, and therefore knew but little of their contents. However, he must say, that he had found things in them at which he had felt much mortified.

Mr. Webster thought the best course, which was called for by the importance of the subject, and what was due as well to the committee as the senate, was this, to take a vote on the first resolution. He would then move to lay the others upon the table, until such time as gentlemen had an opportunity of examining them, when he would move that they be taken up.

The question was then taken on agreeing to the first resolution reported by the post office committee, in the following words:

“Resolved, That it is proved and admitted that large sums of money have been borrowed at different banks by the postmaster general, in order to make up the deficiency in the means of carrying on the business of the post office department, without authority given by any law of congress; and that, as congress alone possesses the power to borrow money on the credit of the United States, all such contracts for loans by the postmaster general are illegal and void.”

And the question on agreeing to this resolution was decided as follows:

YEAS—Messrs. Benton, Bibb, Black, Brown, Calhoun, Chambers, Clay, Clayton, Ewing, Forsyth, Frelinghuysen, Grundy, Hendricks, Hill, Kane, Kent, King, of Alabama, King, of Geo. Knight, Lyman, Mangin, Moore, Naudan, Poindexter, Porter, Prentiss, Preston, Robbins, Robinson, Shepley, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster, White, Wright—41.

SO the resolve was unanimously adopted.

On motion of Mr. Webster, who congratulated the senate on the unanimity of this vote, the residue of the resolutions were then ordered to lie on the table.

#### BRITISH HOUSE OF LORDS.

The church establishment.

“The earl of Eldon, in a very feeble voice said that age and infirmities prevented him from debating this question; but he would leave this as a legacy to their lordships—stating whatever he had of professional reputation to its accuracy—that the state had not the right to appropriate the revenues of the church.”

“To this, the present lord chancellor replied—

“A noble and learned lord, on leaving the house just now, had left with them as a legacy, he said, his opinion that the state had no right or power to interfere with the property of the church. This was a legacy which he, (lord Brougham), was not at all disposed to accept from the noble and learned lord. Seriously, he was persuaded that on reflection, that learned nobleman would retract his opinion; for he surely could not persist in asserting that parliament was not as competent to do as it thought fit with the property of the church, as it was competent to do as it thought fit with the property of any person present, [hear, hear!] This power was exercised repeatedly, in the shape of private bills. What would be the effect produced by the admission of the noble and learned lord's most extraordinary doctrine? Why, that although by any possibility it should happen that the number of Protestants of the established church in Ireland, should dwindle down from 700,000 to 70,000, or to 7,000, or 700, or even to 70, yet must the present amount of property held by that church be still retained by the 700 or 70 as a sacred right which none had a right to question, [hear, hear!] Surely no one could hesitate at pronouncing this to be a monstrous proposition! A word as to the application of the words church property. People talked of the church as if it were a corporation sole; whereas, in the eye of the law, it was no such a thing. “The church” did not mean a body of the clergy, but it meant the body of the faithful, [hear, hear!] and when you talk of church property you do not really mean

to say that the three millions a year, or whatever the sum was, belonged to "the church" as a body separate from and independent of the state. This, however, was the mistake, in common parlance; and he knew of no misconception that had led to greater mischief. But if they talked of the clergy, meaning, thereby, various corporations, some sole as bishops and parsons, others corporate as deans and chapters—then he could understand what was meant."

#### FOREIGN NEWS.

From Liverpool papers to the 1st July and London to the 30th June, inclusive.

##### FRANCE.

The elections had generally resulted, as we have before stated, in favor of the government. Nearly all the eminent opposition candidates, however, who had lost their elections in those places where they were first candidates, had subsequently been elected in others. M. Lafitte had been returned from three places. Barrot and Dupont d'Eure have also secured seats.

France had concluded a treaty with the republic of New Granada.

M. de Chateaubriand having lost his election, has published a letter stating that had he been elected he would not have taken his seat, as he would not have taken the oaths.

The republicans as a party are said to be at an end in France.

##### GREAT BRITAIN AND IRELAND.

Parliament will not rise before the second week in August. The printer and editor of the Morning Post had been brought before the house of peers for a libel on the lord chancellor. The former had been discharged but the latter was still undergoing an examination.

The dean and chapter of Exeter, in new paving and beautifying their ancient cathedral, found the leaden coffin of bishop Bitten, who died in 1307. Near the bones of the finger was discovered a sapphire ring set in gold, in the centre of which is engraved a hand, with the two fore-fingers extended in the attitude of benediction.

There are at present living in the small village of Hcighington, in the county of Durham, England, in a population of 400 or 500 souls, 24 individuals whose united ages amount to 1,977 years, the oldest is 90 and the youngest 79 years of age.

The town of Leeds, which in 1816 was assessed to the amount of £90,000, has been by a late assessment valued at £190,000. The other large towns have proportionally increased.

During the past year, the receipts of the society for promoting Christian knowledge have been rather more than £74,000; the expenditure £72,000. The publications including, 82,000 bibles, amounted to 2,152,000.

The English Mediterranean squadron is said to be making hostile demonstrations against Turkey; that Russia is at the bottom of it, and that a French fleet was fitting up in haste to co-operate.

There had been a destructive fire at Oldham, at which 15 persons lost their lives by the falling of a wall.

There had been a dreadful affray at Kerry, in Ireland, between two clans, attended with great slaughter. At least 1,000 men were engaged in it; for in addition to the resident parties, the Colecans and the Lawlors, numbers came from miles round to take part in the conflict against men whom they had never seen before: all for the pleasure of a fight.

In the house of commons, June 27, a call was made for a return of the names of the persons in the suite of Don Carlos, with a view of taking into custody gen. Moreno, understood to be one of the suite, who had invited the brave Torrijos, and several of his companions, to Malaga, and had there become the instrument of their destruction. Among these victims was Mr. Boyd, an Englishman.

Lord Palmerston had no objection to the production of the correspondence. He stated that the law officers of the crown had been consulted as to the legality of prosecuting the Spanish general Moreno for the murder of Mr. Boyd. He had little doubt as to their opinions; for Boyd was put to death according to the law of Spain, and the law of nations; having knowingly gone with the band of Torrijos to excite an insurrection on the Spanish territory.

It is said that the Irish coercion bill, about to be re-enacted, will be divested of the military tribunal, and the other peculiarly obnoxious clauses.

Admiral Napier has arrived in England, in the Braganza frigate, which he captured from Don Miguel. The admiral took lodgings at Portsmouth, in a hotel directly opposite the residence of Don Carlos.

##### SPAIN.

There had been several recent battles between the Carlist forces under Zumalacareguy and those of the queen, in which the former had been victorious. In one of these the killed and wounded amounted to 1,200.

#### POLITICAL HISTORY.

From the *Newport*, (R. I.) *Herald*, of July 31.

We copy the following from the R. I. Republican of the 9th, which credits it to "The Washington North American." As it has now been published more than three weeks without contradiction, or correction from D. J. Pearce, we must consider him as abiding by it.

[From the *Washington North American*.]

THE HARTFORD CONVENTION. In the course of a very spirited debate, which took place in the house of representatives on

Monday last, between the two members from Rhode Island, on a distress memorial from that state, and in which Mr. Pearce highly distinguished himself, and confessedly and decidedly got the better of his formidable antagonist, Mr. Burges took the opportunity to defend the Hartford convention, and gave Mr. Pearce occasion to state some facts in relation to that illustrious assembly, not heretofore generally known. He said "Timothy Pickering had informed Mr. Lowell, of Massachusetts, that the convention did not intend any half-way measures—that it was their determination not to stop short of a separation of the union;" and that the occurrence of peace and the victory at New Orleans, alone prevented their design from being carried into execution. The messenger or ambassador who was charged with carrying the ultimatum of the convention to Mr. Madison, was stopped on his way to Washington, by the news of those fortunate events. The ultimatum of the messenger was believed to be, that Mr. Madison should resign, and that an end, on any terms, should be put to the war. This information from Mr. Pickering, to Mr. Lowell, as to the designs of the Hartford convention, was given by the latter to Mr. Potter, of Rhode Island, and communicated by him to Mr. Pearce. Mr. Lowell is a distinguished citizen of Massachusetts, whose word will not be doubted in that state, or by any one elsewhere, acquainted with his character. Mr. Potter is the gentleman who was recently elected to the senate of the United States, by the legislature of Rhode Island, and was refused his seat by the senate, on the ground, that Mr. Robb, of New Jersey, had been elected by the legislature of New Jersey, and that during the last war, a patriotic citizen of Newport, had fitted out a privateer to cruise against the enemy, and so high did the traitorous feelings of that period prevail among the political associates of his colleague, Mr. Burges, that the owners had to have a guard always attached to the vessel, while in that port, to keep them from destroying it, which they threatened and were preparing to do. This last blow, so vigorously driven home by Mr. Pearce, into the tender parts of his colleague, is the most effectual of the many hard hits which the pugnacity of the Thersites of the house of representatives, has drawn upon himself this session. Pearce gave it to him most scientifically between the scales, and the giant and veteran gladiator of parliamentary fisticuffing, was completely shut up and floored.

[Then follows some severe remarks of the editor which, though, perhaps well applied to the present state of politics in Rhode Island, has nothing to do with the record that we desire to make. [Ed. Reg.]

[Letter from the hon. Harrison Gray Otis, to Benjamin Hazard, esq. of Newport.] Boston, July 22, 1834.

DEAR SIR: Many years since, I wrote and published a series of letters, in a pamphlet form, in vindication of the views and proceedings of the Hartford convention. The statement of facts in those letters being entirely matter of record, and the inferences from those facts being plain and inevitable, I may, without claiming any peculiar merit, venture to assert that this vindication was triumphant and unanswerable: and no attempt to reply to it has ever been made, to my knowledge. It appears also from this statement, that every man in the community has the means of knowing all that was intended or done by that convention, as amply as the members themselves. For their original appointment and authority were conferred by legislative bodies, with open doors; and this authority like that of other committees, was limited to the power of doing nothing but of making a report. Their report was made and published forthwith—and soon afterwards their private journal was deposited in the archives of the state of Massachusetts, and also published. On the occasion of a judicial trial in Connecticut, Roger Sherman, a member of the convention: a gentleman of conspicuous rectitude of character as well as talent, was examined on oath in reference to those proceedings, and negated conclusively the current slanders of the day, in reference to the covert and anti-federal designs imputed to the convention; and lately Mr. Dwight, the secretary of that assembly, has published an elaborate volume, exhibiting with great industry and ability the rise, progress, aim and end of the convention. It was not to be expected that these irrefragable proofs, nor that Moses and the prophets, should they rise from the dead, would put to shame or silence the great aflighted corps of calumniators who are spread over the whole country—and who are very faithfully represented in congress. These creatures, like the grubworm, rise annually from the earth, and when they seem to disappear or to be exterminated one year, the next finds them "at their dirty work again." Nor was it to be expected that many of the aspirants for popular favor of the old federal party even of that number who promoted, encouraged and cheered the convention, but were not among its members—should like your Mr. Burges, volunteer in defending the character of the dead lion. It is an inconvenient and dangerous sort of magnanimity, and not so good a part of valor as "discretion." However, having done my duty, to my entire satisfaction, I have for a long time felt that it would imply a want of self respect in me, to betray a solicitude, or write a line, or say a word in contradiction of the inextinguishable new versions of old absurdities, which are so often bethel out by some of the kitchen, groshop and congress orators. With this impression, nothing but my respect for you, would have induced me to notice the publication you sent to me, from the *Washington North American*, reprinted in

one of the Rhode Island papers. The extravagant folly—intrinsic falsehood, and absurd anachronisms which pervade this essay, so far transcend all other nonsense of the sort, that if your Mr. Pearce did say what is imputed to him, he must indeed, in the language of his encomiast, have "distinguished himself." I sent it to Mr. Lowell, and you have his answer. If it does not come under the class of *posers*, I know not what will, unless it be that here follows. Mr. Pearce is made to say, (I hope not truly), that "the occurrence of peace, and the victory of New Orleans, alone prevented their design—(to separate the union), from being carried into execution"—*Memo*: The convention was dissolved long before the news of peace was received in this country, and before the victory at New Orleans had been achieved. Again—"The messenger or ambassador who was charged with carrying the ultimatum of the convention to Mr. Madison, was stopped on his way to Washington by the news of those fortunate events"—*Memo*: No communication from the convention to congress was ever made or proposed. No messenger of any description was ever deputed by that body to Mr. Madison, nor to congress. Individuals were sent by the several state legislatures represented in convention, with the printed report in their hands, and with public instructions to apply to congress for permission to defend the country with their own militia, at the expense of the United States. But their commission was in great part superseded by an act of congress then lately passed, *providing the actual measure which the convention recommended; and which, had it passed in season, would have taken away the principal motive and object for instituting the convention*. In fact while the convention were debating and deciding upon the ways and means of defending New England, which it would be proper to request congress to provide; congress was debating, and finally decided to grant substantially these very ways and means. So that in truth there was upon the *great object* proposed by the convention, *no difference in substance between that body and congress*. Congress had become satisfied that the New England states, in their controversy respecting the militia and the system of defence appropriate to their condition, had the right side of the question, and YIELDED THE POINT. All this has been often said, and cannot be contradicted. But *cui bono!* The draining of a quagmire does not silence the frogs, but merely drives them to some other fouler puddle. I am, respectfully, your obedient servant,  
H. G. OTIS.

Hon. Mr. Hazard.

Communication from hon. John Lowell, to the editor of the Herald of the Times.

Roxbury, July 21, 1834.

MR. EDITOR: The Washington North American gives an extract from a speech of the hon. Mr. Pearce, of Rhode Island, delivered in congress on the presentation of some memorial from Rhode Island, in which the hon. member is stated to have made (in reference to the Hartford convention) the following statement: "that Timothy Pickering had informed Mr. Lowell, of Massachusetts, that the convention did not intend half way measures—that it was their determination not to stop short of a separation of the union; and that the occurrence of peace and the victory at New Orleans, alone prevented their designs from being carried into execution." Mr. Pearce is further reported to have said—"This information from Mr. Pickering to Mr. Lowell, as to the design of the Hartford convention, was given by the latter to Mr. Potter, of Rhode Island, and communicated by him to Mr. Pearce."

The statement is almost too absurd to require notice. That col. Pickering, then at Washington, wholly ignorant of the intention or doings of the Hartford convention, should write to me, in Boston, intimately acquainted with most of the Massachusetts members, to *inform* me what their designs were, is rather incredible. The FACT is, that no such letter was ever written, or information given in any other way, by col. Pickering to me, as to the intention or designs of the Hartford convention. As to my communicating to Mr. Potter, what never existed, I can add, that I never had the honor of a personal acquaintance with Mr. Potter, nor was I ever in his company to my knowledge; nor did I ever write to him on any subject so far as I can recollect; and, as an honorable man, I have no doubt that Mr. Potter will confirm this statement. Since I am obliged, by a sense of propriety, to deny the facts attempted to be supported by my testimony, I think it my duty to add, that I was invited, and did attend a meeting of the Massachusetts delegates to the Hartford convention, which took place at col. Thordike's, the evening before their departure for Hartford. The whole subject was then and there fully and confidentially discussed, and I can aver, that there was a unanimous agreement on the part of those delegates, that, at the ensuing convention, as little should be done as possible, and no more than should be deemed absolutely essential to the allaying of the public excitement, that neither forcible opposition on the existing government of the United States, nor a separation of the New England states, were ever proposed, or ever mentioned.  
JOHN LOWELL.

ANSWER OF MR. MADISON

To an invitation to attend a public dinner that was given to Mr. Patton, M. C. in Orange county, Va.

Montpelier, 9th July, 1834.

I have received, friends and fellow citizens, your letter inviting me, in behalf of a portion of the republican citizens of this

district, to a public dinner, to be given to John M. Patton, its representative in the congress of the United States.

Gratified as I should be in meeting so many of my neighbors and friends, among them the able and highly respected representative of the district, the opportunity is rendered of no avail to me by a continuance, and of late increase of the causes which have long confined me to my home, and at this time, confine me for the most part to a sick chamber.

The favorable views which my friends have taken of my public and private life, justly demand my grateful and affectionate acknowledgments. Such a testimony from those whom I know to be sincere, and to whom I am best known, is very precious to me. If it gives me a credit far beyond my claims, which I am very conscious that it does, I cannot be insensible to the partiality which commits the error.

Though withdrawn from the theatre of public affairs, and from the excitements incident to them, I may be permitted to say to my friends, that I join them most cordially in their devotion to the great and fundamental principles of republicanism to which Virginia has been constant; and that I am not less persuaded than they are, of the dependence of our prosperity on those principles; and of the intimate connexion of both with the preservation of the union in its integrity, and of the constitution in its purity. The value of the union will be most felt by those who look with more forecast into the consequences of its dissolution. Nor will the constitution, with its wise provision for its own improvement under the lights of experience, be undervalued by any who compare the distracted and ominous condition from which it rescued the country, with the security and prosperity so long enjoyed under it, and with the bright prospects which it has opened in the civilized world. It is a proud reflection, proud for the people of the United States—proud for the cause of liberty—that history furnishes no example of a government providing like blessings, in an equal degree, and for the same period, as the modification of political power in the compound government of the United States, of which the vital principle pervading the whole and all its parts, is the elective and responsible principle of republicanism. May not then *esto perpetua*, express the hope as well as the prayer of every citizen who loves liberty and loves his country.

I pray the committee, in communicating my thanks to the meeting, for the kind invitation conveyed to me, to accept for themselves my cordial respects and best wishes.

JAMES MADISON.

ANSWER OF JOHN C. CALHOUN,

To an invitation to attend the whig celebration of the 4th July, at Charlottesville, Va.

Washington, 15th June, 1834.

GENTLEMEN: I have been honored by your note of the 9th instant, inviting me, in the name of a number of the citizens of Albemarle, who are opposed to executive usurpation and misrule, to partake of a public dinner at Charlottesville, on the approaching anniversary of independence, and I regret to say, that my engagements will not permit me to accept your invitation.

I cordially agree with you in the opinion you have expressed of the acts of the federal executive, to which you have referred, and have, in the discharge of my official duties, during the session, cheerfully united with all entertaining the same opinion to resist those acts to the best of my abilities, however differing on other subjects. Had I acted otherwise, I would have been unfaithful to my oath to support the constitution, and the principles of the party with which it is my pride to act, and whose motto is opposition to usurpation in whatever form and from whatever quarter. So long as the executive shall persist in its acts of usurpation, so long shall I feel bound by the high obligation of duty, to continue to pursue the same course, without regarding the diversities of opinion, be they small or great, between myself and others, whom I may find in opposition to the same acts.

But while I thus stand prepared to resist the encroachments of the executive, I must say that, in my opinion, every scheme of resistance limited to the acts of that department, without looking beyond, must, in the end, prove abortive. Unless I am greatly deceived, the true equilibrium of our political system is to be found in the great and primary division of power between the general and state governments. So long as this fundamental distribution remains undisturbed, as established by the constitution, there is, in my opinion, but little danger of the departments of the government attempting to encroach on each other; or, if either should make the attempt, that it would be successful; but let this fundamental distribution be disturbed, and it will be found to be impossible to maintain the equilibrium of power between the departments. If these views be correct, usurpation, under our system, must commence by encroachments on the rights of the states, and can only take place through the agency of congress, which, by an express provision of the constitution, is vested, exclusively, with all the discretionary powers authorised under the instrument to be exercised by this government, or any of its departments, and through which powers only is there the least danger of encroachment. But while usurpation can only originate in the encroachments of congress on the rights of the states, the necessary effect of such encroachment is to increase the relative power of the executive, and thereby to lead the way to encroachment of that department on the powers of congress. I hold it, then, as a fundamental law of the system, that whatever power congress may take from the states will ensure not to its advantage, but to that of the execu-

live. The reason is obvious. The patronage, and, consequently, the influence of the government are vested in that department, and as the power and action of this government must increase just in proportion as it absorbs the rights of the states, in the same degree will the patronage and influence of the executive. It is then that the encroachments of congress on the states augment the influence and power of the executive department, and prepares the way, in turn, for its usurpations on the powers of congress, just as we now see it. What, I would ask, has prepared the way for the usurpations of the present executive? What has so erroneously increased its influence and power? What has created that countless host of office holders and office expectants, which stand ready to sustain the executive in all its acts, whether they be right or wrong? For the cause of all this, we must look to the acts of congress—to that system of legislation that drew into the vortex of this government the control over the entire industry and wealth of the country—that poured millions into its treasury beyond its legitimate wants, to be wasted in the most profuse and extravagant manner on objects not authorized by the constitution. It is this which has so dangerously increased the influence and power of the executive—which has spread corruption and servility over the land—which has divided and distracted the country—which by creating an immense surplus revenue, beyond the most profuse expenditure, has tempted the executive to seize on the public treasure, and which finally sustains him in the present open and flagrant breach of the laws and constitution. It is thus that the usurpation of congress on the states has led the way to that of the executive on congress; and that not by any accidental operation, but by necessary consequence through a fixed law of the system. We are thus taught the important lesson, that the legislative department, in encroaching on the rights of the states must, in the end, be absorbed by the executive, and that the first and indispensable step towards arresting the usurpations of that department on its rights, is to abandon its usurpations on the rights of the states—abandon, in the present instance, that supremacy which it has assumed over the states, and all those powers, the exercise of which has led to the present disastrous state of things. Till this is done, no effectual and permanent resistance can be made to executive usurpations. Should we ever succeed in arresting the present acts of usurpation, and in expelling from power those who are their authors, the victory would be but temporary, unless the rights of the states should be restored.

We may rest assured that it is only on the elevation and commanding position of state rights, that the contest against executive usurpation can be permanently and successfully maintained. It is the chosen spot on which the patriotic must take their stand, in defence of the institutions and the liberty of the country. It is the consecrated ground, on which your ancient and renowned commonwealth successfully contended against usurpation in the great contest of '98, and on which she must now again contend in the same sacred cause, if she seeks to emulate her former glory and success. On any other, defeat and disaster will be inevitable. I take the liberty, in conclusion, to offer you the following sentiment:

"State rights and state remedies: the only effectual barrier against usurpation: let them be prostrated, and in the place of an elective chief magistrate, we shall speedily have a military despot." With great respect, I am, &c.

J. C. CALHOUN.

T. W. Gilmer, esq. and others, committee.

#### FOURTH CONGRESS—SECOND SESSION.

HOUSE OF REPRESENTATIVES DECEMBER 15, 1798.

The house, according to the order of the day, again resolved itself into a committee of the whole house on the address to the president of the United States, [GEORGE WASHINGTON] in answer to his speech to both houses of congress; and, after some time spent therein Mr. Speaker resumed the chair, and reported that the committee had, according to order, again had the said address under consideration, and made several amendments thereto, which he delivered at the clerk's table, where the same were severally twice read and agreed to.

A motion was then made and seconded, to amend the said address, by striking out in the last paragraph thereof, the following clause, to wit:

"For our country's sake, for the sake of republican liberty, it is our earnest wish that your example may be the guide of your successors; and thus, after being the ornament and safeguard of the present age, become the patrimony of our descendants."<sup>21</sup>

And on the question thereupon, it passed in the negative, yeas 24, nays 54.

The yeas and nays being demanded by one fifth of the members present, those who voted in the affirmative, are,

Theodoros Baily, David Bard, Thos. Blount, Gabriel Christie, Christopher Greenup, John Heath, James Holland, Andrew Jackson, George Jackson, Edward Livingston, Matthew Locke, William Lyman, John Clouton, Isaac Coles, Albert Gallatin, William B. Giles, Samuel M'clay, Nathaniel Macon, Andrew Moore, Josiah Parker, John Patton, John Swanwick, Joseph B. Varnum and Abraham Venable—24.

Those who voted in the negative, are,

Fisher Ames, Abraham Baldwin, Theophilus Bradbury, Nathan Bryan, Thomas Claiborne, Joshua Coit, William Craik, James Davenport, Henry Dearborn, George Dent, George Ege, Abiel Foster, Dwight Foster, Jesse Franklin, Nathaniel Free-

man, junior, Ezekiel Gilbert, James Gillespie, Nicholas Gilman, Henry Glen, Chauncey Goodrich, Andrew Gregg, Roger Griswold, William B. Grove, Robert Goodloe Harper, Thomas Hartley, Jonathan N. Havens, Thomas Henderson, William Hindman, Aaron Kitchell, Samuel Lyman, James Madison, Francis Malbone, F. A. Mullenberg, John Nicholas, John Page, John Reed, John Richards, Samuel Sewall, John S. Sherburne, Samuel Sitgreaves, Nathaniel Smith, Israel Smith, Isaac Smith, William Smith, Richard Sprigg, junior, William Stradwick, Zephaniah Swift, Geo. Thacker, Richard Thos. Mark Thompson, John E. Van Allen, Philip Van Cortlandt, Peleg Wadsworth and John Williams, 54.\*

And then the main question being taken, that the house do agree to the said address, amended to read as followeth:

Sir: The house of representatives have attended to your communication respecting the state of our country, with all the sensibility that the contemplation of the subject and a sense of duty can inspire.

We are gratified by the information that measures calculated to ensure a continuance of the friendship of the Indians, and to maintain the tranquillity of the western frontier have been adopted; and we indulge the hope that these, by impressing the Indian tribes with more correct conceptions of the justice as well as the power of the United States, will be attended with success.

While we notice with satisfaction, the steps that you have taken, in pursuance of the late treaties with several foreign nations, the liberation of our citizens who were prisoners at Algiers, is a subject of peculiar felicitation. We shall cheerfully co-operate in any further measures that shall appear, on consideration, to be requisite.

We have ever concurred with you in the most sincere and uniform disposition to preserve our neutral relations inviolate, and it is, of course, with anxiety and deep regret we hear that any interruption of our harmony with the French republic has occurred. For we feel with you and with our constituents, the cordial and unabated wish to maintain a perfectly friendly understanding with that nation. Your endeavors to fulfil that wish, and by all honorable means to preserve peace, and to restore that harmony and affection which have heretofore so happily subsisted between the French republic and the United States, cannot fail, therefore, to interest our attention. And while we participate in the full reliance you have expressed on the patriotism, self respect, and fortitude, of our countrymen, we cherish the pleasing hope that a mutual spirit of justice and moderation will ensure the success of your perseverance.

The various subjects of your communication will respectively meet with the attention that is due to their importance.

When we advert to the internal situation of the United States, we deemed it equally natural and becoming to compare the present period with that immediately antecedent to the operation of the government, and to contrast it with the calamities in which the state of war still involves several of the European nations, as the reflections deduced from both tend to justify as well as to excite a warm admiration of our free constitution, and to exalt our minds to a more fervent and grateful sense of piety towards Almighty God, for the beneficence of his Providence by which its administration has been hitherto so remarkably distinguished.

And while we entertain a grateful conviction, that your wise, firm and patriotic administration has been signally conducive to the success of the present form of government, we cannot forbear to express the deep sensation of regret, with which we contemplate your intended retirement from office.

As no other suitable occasion may occur, we cannot suffer the present to pass, without attempting to disclose some of the emotions which it cannot fail to awaken.

The gratitude and admiration of your countrymen are still drawn to the recollection of those resplendent virtues and talents which were so eminently instrumental to the achievement of the revolution, and of which that glorious event will ever be the memorial. Your obedience to the voice of duty and your country, when you quitted, reluctantly, a second time, the retirement you had chosen, and first accepted the presidency, afforded a new proof of the devotedness of your zeal in its service, and an earnest of the patriotism and success which have characterized your administration. As the grateful confidence of the citizens in the virtues of their chief magistrate, has essentially contributed to that success, we persuade ourselves that the millions whom we represent, participate with us in the anxious solicitude of the present occasion.

Yet, we cannot be unmindful, that your moderation and magnanimity, twice displayed, by retiring from your exalted stations, afford examples no less rare and instructive to mankind, than valuable to a republic.

Although we are sensible that this event, of itself, completes the lustre of a character already conspicuously unrivalled by

\*Of the 24 yeas there are still living Andrew Jackson, Edward Livingston, Albert Gallatin, Nathaniel Macon, and perhaps, one or two others.

Of the 54 nays there are still living James Madison, and, we think, two or three others, which are not named because the fact is not clear to us.

But most of those in the negative lived long enough to see many of those in the affirmative, point to the administration of WASHINGTON as the guide of his successors, which they had voted that might not be.

the coincidence of virtue, talents, success and public estimation; yet we conceive we owe it to you, sir, and still more emphatically to ourselves and our nation, (of the language of whose hearts we presume to think ourselves, at this moment the faithful interpreters), to express the sentiments with which it is contemplated.

The spectacle of a free and enlightened nation offering, by its representatives, the tribute of unfeigned approbation to its first citizen, however novel and interesting it may be, derives all its lustre, (a lustre which accident or enthusiasm could not bestow, and which adulation would tarnish), from the transcendent merit of which it is the voluntary testimony.

May you long enjoy that liberty which is so dear to you, and to which your name will ever be so dear. May your own virtues and a nation's prayers obtain the happiest sunshine for the decline of your days, and the choicest of future blessings. For our country's sake; for the sake of republican liberty, it is our earnest wish that your example may be the guide of your successors; and thus after being the ornament and safeguard of the present age, become the patrimony of our descendants.

It was resolved in the affirmative, yeas 67, nays 12. The yeas and nays being demanded by one fifth of the members present, those who voted in the affirmative, are,

Fisher Ames, Theodoros Bailey, Abraham Baldwin, David Bard, Theophilus Bradbury, Nathan Bryan, Gabriel Christie, Thomas Claiborne, John Clopton, Joshua Coit, Wm. Cooper, Wm. Craik, James Davenport, Henry Dearborn, George Dent, George Ege, Abiel Foster, Dwight Foster. Jesse Franklin, Nathaniel Freeman, jr. Albert Gallatin, Ezekiel Gilbert, James Gillespie, Nicholas Gilman, Henry Glen, Chamney Goodrich, Andrew Gregg, William B. Grove, Robert Goodloe Harper, Carter B. Harrison, Thomas Hartley, Jonathan N. Havens, John Heath, Thomas Henderson, William Hindman, George Jackson, Aaron Kitchell, Samuel Lyman, James Madison, Francis Malbone, Andrew Moore, Frederick A. Mullenberg, John Nicholas, John Page, Josiah Parker, John Patten, John Reed, John Richards, Samuel Sewall, John S. Sherburne, Samuel Sitgreaves, Nathaniel Smith, Israel Smith, Isaac Smith, William Smith, Richard Sprigg, jr. William Studwick, John Swanwick, Zephaniah Swift, George Thatcher, Mark Thompson, John G. Van Allen, Philip Van Cortlandt, Joseph B. Varnum, Peleg Wadsworth and John Williams—67.

Those who voted in negative are,  
Thomas Blount, Isaac Coles, William B. Giles, Christopher Greenup, James Holland Andrew Jackson, Edward Livingston, Matthew Locke, William Lyman, Samuel Maclay, Nathaniel Macon and Abraham Venable—12.\*

To shew the spirit of the times, as manifested by a certain party in the United States, we add the following extract from the Philadelphia "Aurora," then the leading paper of the party alluded to—

From the Aurora of March 4, 1797.

"Now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation," was the pious ejaculation of a man who beheld a flood of happiness rushing on mankind. If ever there was a time that would license the reiteration of the exclamation, the time is now arrived, for the man, who is the source of all the misfortunes to our country, is this day reduced to a level with his fellow citizens, and is no longer possessed of power to multiply evils on the United States. If there ever was a period for rejoicing, this is the moment. Every heart, in unison with the peace and happiness of the people, ought to beat high with exultation, that the name of Washington from this day ceases to give currency to political iniquity, and to legalize corruption—a new era that promises much to the people; for public measures must now stand on their own merits and nefarious projects can no longer be supported by a name. When a retrospect is taken of the Washington administration for eight years, it is a subject of the greatest astonishment, that a single individual could have enkindled the principles of republicanism in an enlightened people, and should have carried his designs against public liberty so far, as to put in jeopardy its very existence. Such, however, are the facts; and with them staring us in the face, this day ought to be a day of jubilee in the United States."

☞The preceding is running a round in the newspapers of the day, and its authorship charged on col. Wm. Duane, father of the late secretary of the treasury, who has revived, or is about to revive the "Aurora," and has come out warmly in the support of president Jackson. This must be incorrect; for Benjamin Franklin Bache, (a grand son of Dr. Franklin), was then editor and publisher of the Aurora, and remained so until the autumn of 1798, when he died of the yellow fever—as is fresh in our recollection, from particular circumstances. Mr. Bache was an able writer, and accustomed to indulge himself in free remarks on the conduct and character of Washington, chiefly, perhaps, on account of the neutral position that he assumed on the breaking out of the French revolution, and the treaty made with England, by Mr. Jay.

\*It will be seen that Albert Gallatin and others, who voted to strike out the clause in the address which is quoted, voted for the address as it passed, though containing that clause—but that Messrs. Jackson, Livingston and Macon, and others, persevered in their opposition.

While preparing this note, we have observed in the "Stu-henville Herald," edited and published by our old and valued friend judge Wilson, that our recollections are correct. Mr. W. says, in the "Herald" of the 30th ult—

"The Aurora was edited at that time, and until the month of September, 1798, by Benjamin Franklin Bache, at which time Mr. Bache died of the yellow fever. The publication of the Aurora was then suspended for about two months, and re-commenced in November under the editorial management of col. Duane. Col. D. had been employed in the same office for some months previous to the decease of Mr. Bache, as a sub-editor, &c. but not during any part of the year 1797 nor we believe '97. This charge against col. Duane, is, therefore, to our certain knowledge, altogether without foundation. We do not recollect that the Aurora contained, whilst under the management of col. Duane, any injurious strictures upon general Washington or any of the measures of his administration. We think it did not."

These are things with which Mr. Wilson has a right to be fully acquainted, having been long employed in the office of the old "Aurora," and, for a considerable time, its editor.

ARMY OF THE UNITED STATES.

HEAD QUARTERS OF THE ARMY,  
Adjutant general's office, Washington, July 9th, 1834.  
ORDER, NO. 49.

1. Promotions and appointments in the army, by the president of the United States, by and with the advice and consent of the senate, since the publication of the official Register for 1834.

I.—PROMOTIONS.

Regiment of dragoons.

Brevet 2d lieutenant William Eustis, to be 2d lieutenant 17th March, 1834, vice Bradford, deceased, (brevet 1st July, 1830).

Brevet 2d lieutenant George W. McClure, to be 2d lieutenant 31st May, 1834, vice Clyman, resigned, (brevet 1st July, 1830).

First regiment of artillery.

1st lieutenant Joshua Howard, to be captain, 6th March, 1834, vice Patrick, deceased.

2d lieutenant Ebenezer S. Sibley, to be 1st lieutenant 6th March, 1834, vice Howard, promoted.

2d lieutenant William Maynadier, to be 1st lieutenant 31st May, 1834, vice Tyler, resigned.

Brevet 2d lieutenant David B. Harris, to be 2d lieutenant 6th March, 1834, vice Sibley, promoted, (brevet 1st July, 1833).

Brevet 2d lieutenant Erastus A. Capron, to be 2d lieutenant 31st May, 1834, vice Maynadier, promoted, (brevet 1st July, 1833).

Second regiment of artillery.

2d lieutenant John B. Grayson, to be 1st lieutenant 30th April, 1834, vice Fowler, deceased.

Brevet 2d lieutenant Ward B. Burnett, to be 2d lieutenant 1st April, 1834, vice Coker, resigned, (brevet 1st July, 1832).

Brevet 2d lieutenant Th. ophilus F. J. Wilkinson, to be 2d lieutenant 30th April, 1834, vice Grayson promoted, (brevet 1st July, 1832).

Second regiment of infantry.

Brevet 2d lieutenant Elbridge G. Eastman, to be 2d lieutenant 4th March, 1833, vice Simonton, appointed 1st lieutenant of the regiment of dragoons, (brevet 1st July, 1831).

Third regiment of infantry.

2d lieutenant Edwin B. Babbitt, to be 1st lieutenant 31st March, 1834, vice Archer, resigned.

Brevet 2d lieutenant William O. Kello, to be 2d lieutenant 11th January, 1834, vice Cobb, deceased, (brevet 1st July, 1832).

Brevet 2d lieutenant Henry Swartwout, to be 2d lieutenant 31st March, 1834, vice Babbitt, promoted, (brevet 1st July, 1832).

Fourth regiment of infantry.

Brevet 2d lieutenant Frederick Wilkinson, to be 2d lieutenant 18th February, 1834, vice Ritter, deceased, (brevet 1st July, 1834).

Brevet 2d lieutenant William W. S. Bliss, to be 2d lieutenant 31st March, 1834, vice McKean, resigned, (brevet 1st July, 1833).

Sixth regiment of infantry.

Brevet 2d lieutenant James S. Williams, to be 2d lieutenant 31st May, 1834, vice Johnston, resigned, (brevet 1st July, 1831).

Seventh regiment of infantry.

1st lieutenant Francis Lee, to be captain, 31st May, 1834, vice Bonneville, dropped.

2d lieutenant Gabriel J. Rains, to be 1st lieutenant 28th January, 1834, vice Williams, appointed assistant topographical engineer.

2d lieutenant Stephen W. Moore, to be 1st lieutenant 31st May, 1834, vice Lee, promoted.

Brevet 2d lieutenant Roger S. Dix, to be 2d lieutenant 28th January, 1834, vice Rains, promoted, (brevet 1st July, 1832).

Brevet 2d lieutenant Richard C. Gatlin, to be 2d lieutenant 31st May, 1834, vice Moore, promoted, (brevet 1st July, 1832).

2. Promotions by brevet, conferred for ten years' service in one grade; or for faithful and meritorious service.

Brigadier generals by brevet.

Col. Duncan L. Clinch, 4th regiment of infantry, to take rank the 20th April, 1829.

Col. Matthew Arbuckle, 7th regiment of infantry, to take rank 16th March, 1830.

†The extract, as first published, was dated March 4, 1796—this was a mistake, but hence Mr. Wilson's italics. It appeared on the day of the inauguration of Washington's successor, and we well remember the feeling that it caused in Philadelphia.

Col. James House, 1st regiment of artillery, to take rank 8th May, 1832.  
 Col. Roger Jones, adj. gen. to take rank 7th June, 1832.  
 Brevet col. Abram. Eustis, 4th regiment artillery—30th June, 1834.  
 Col. Nathan Towson, paymaster general—30th June, 1834.

*Colonels by brevet*

Col. Zach. Taylor, 1st regiment of infantry, to take rank 20th April, 1829.  
 Lieut. col. James B. Many, 7th regiment of infantry, to take rank 1st June, 1831.

*Lieutenant colonels by brevet.*

Maj. Henry Stanton, quarter master, to take rank 13th May, 1830.  
 Maj. R. E. DeRussey, corps of engineers, for faithful service, and meritorious conduct—30th June, 1834.  
 Brevet maj. Henry Whiting, 1st regiment of artillery, for faithful and meritorious service—30th June, 1834.

*Majors by brevet.\**

Maj. Trueman Cross, Q. M. and capt. 7th inf'y, 16th June, 1828.  
 Capt. Thomas F. Hunt, 5th infantry, 31st June, 1828.  
 Capt. Waddy V. Cobbs, 2d infantry, 31st March, 1829.  
 Capt. Gustavus Loomis, 1st infantry, 7th April, 1829.  
 Capt. Henry Wilson, 4th infantry, 20th April, 1829.  
 Capt. Thomas F. Smith, 1st infantry, 25th April, 1829.  
 Capt. Richard M. Sands, 4th infantry, 30th April, 1829.  
 Capt. William Hoffman, 2d infantry, 1st May, 1829.  
 Maj. R. B. Mason, regiment of dragoons, 31st July, 1829.  
 Capt. Joseph S. Nelson, 3d infantry, 13th August, 1829.  
 Capt. Fabius Whiting, 1st artillery, 10th September, 1829.  
 Capt. Greenleaf Dearborn, 2d infantry, 30th September, 1829.  
 Capt. Felix Ansart, 3d artillery, 28th November, 1829.  
 Capt. Thomas Staniford, 2d artillery, 1st March, 1830.  
 Capt. Thomas C. Legate, 2d artillery, 13th May, 1830.  
 Capt. John L. Smith, corps of engineers, 29th August, 1830.  
 Capt. Joseph Plympton, 5th infantry, 1st June, 1831.  
 Capt. Wm. G. Belknap, 3d infantry, 1st February, 1832.  
 Capt. Delafayette Wilcox, 5th infantry, 1st April 1832.  
 Capt. Levi Whiting, 4th artillery, 31st May, 1832.  
 Capt. Isaac Clark, 6th infantry, 27th August, 1832.  
 Capt. Aeneas Mackay, 3d artillery, 31st December, 1832.  
 Capt. Benjamin A. Boynton, 2d infantry, 8th July, 1833.  
 Capt. Owen Ransom, 2d infantry, 25th January, 1833.  
 Brevet maj. Wm. G. McNeil, top. engineer, 27th Jan. 1833.  
 Capt. William L. McClintock, 3d artillery, 11th August, 1833.  
 Capt. John L. Gardner, 4th artillery, 1st November, 1833.  
 Capt. Henry Saunders, 1st artillery, 4th November, 1833.  
 Capt. N. Baden, 2d artillery, 1st April, 1834.  
 Capt. William W. Lear, 4th infantry, 1st May, 1834.  
 Capt. Nathaniel Clarke, 5th infantry, 29th June, 1834.  
 Capt. George Blaney, corps of engineers, 30th June, 1834.

*Captains by brevet.*

Capt. Jacob Schmuck, 4th artillery, 25th July, 1824.  
 Capt. Richard Bache, of ordnance, 15th June, 1827.  
 1st lieut. Thos. J. Leslie, of engineers, 31st March, 1829.  
 Capt. Seth Johnson, 2d infantry, 1st May, 1829.  
 1st lieut. Henry S. Mallory, 2d artillery, 31st May, 1829.  
 Capt. William M. Graham, 4th infantry, 11th August, 1829.  
 1st lieut. William Wells, 2d artillery, 23th August 1829.  
 Brevet capt. Jas. D. Graham, ass. top. engineer, 8th Sept. 1829.  
 1st lieut. John B. Vinton, 3d artillery, 30th September, 1829.  
 1st lieut. Richard B. Lee, 3d artillery, 31st October, 1829.  
 Capt. John Clutz, 2d infantry, 31st December, 1829.  
 Capt. S. Shannon, 1st infantry, 23d February, 1830.  
 Capt. John Symington, of ordnance, 17th May, 1830.  
 Capt. J. M. Washington, 4th artillery, 23d May, 1830.  
 Capt. Andrew Talcott, corps of engineers, 1st October, 1830.  
 Capt. H. H. Loring, 3d infantry, 17th October, 1830.  
 Capt. E. K. Barrow, 2d infantry, 31st December, 1830.  
 1st lieut. Samuel Cooper, 4th artillery, 6th July, 1831.  
 1st lieut. Harvey Brown, 4th artillery, 23d August, 1831.  
 1st lieut. Samuel Ringgold, 3d artillery, 8th May, 1832.  
 1st lieut. Charles Ward, 4th artillery, 20th July, 1832.  
 1st lieut. John Bradley, 2d infantry, 2d October, 1832.  
 1st lieut. W. S. Newton, 3d artillery, 31st December, 1832.  
 1st lieut. H. A. Thompson, 4th artillery, 31st December, 1832.  
 Capt. Giles Porter, 1st artillery, 1st February, 1833.  
 1st lieut. A. W. Thornton, 4th infantry, 25th April, 1833.  
 Capt. Joshua Howard, 1st artillery, 1st November, 1833.  
 1st lieut. David Van Ness, 1st artillery, 4th November, 1833.  
 1st lieut. Justin Dimick, 1st artillery, 1st May, 1834.  
 1st lieut. C. A. Ogden, corps of engineers, 30th June, 1834.

*First lieutenants by brevet.*

1st lieut. Wm. C. DeHart, 2d artillery, 1st July, 1830.  
 1st lieut. James A. Chambers, 2d artillery, 1st July, 1830.  
 1st lieut. Julius A. deLagnel, 2d artillery, 1st July, 1831.

II—APPOINTMENTS.

*Staff.*

John S. Lytle, Ohio, to be paymaster, 27th February, 1834.  
 Jno. B. Wells, Maryland, to be assistant surgeon, 1st Feb. 1834.  
 Jno. M. Cuyler, Georgia, to be assistant surgeon, 1st April, 1834.  
 Madison Mills, N. York, to be assistant surgeon, 1st April, 1834.  
 Wm. Hammond, Md. to be assistant surgeon, 1st June, 1834.

\*To take rank from the dates given. The abbreviations are made or words omitted, to save room—so with the captains, &c.

*Topographical engineers.*

Brevet capt. William G. McNeil, assistant topographical engineer, to the topographical engineer, with the brevet rank of major, to rank from the 28th January, 1834, vice Perrault, deceased.

1st lieut. William G. Williams, late of the 7th regiment of Infantry, to be assistant topographical engineer, with the brevet rank of captain, to rank from the 28th of January, 1834, vice McNeil, promoted.

*Military academy.*

Robert W. Weir, New York, to be teacher of drawing at the military academy, 8th May, 1834.

*Regiment of dragoons.*

2d lieut. Isaac P. Simonton, of the 2d regiment of infantry, to be 1st lieut. of dragoons, 4th March, 1833, vice Moore, of the 7th infantry, declined.  
 2d lieut. Albert M. Lea, of the 7th regiment of infantry, to be 2d lieut. of dragoons, 4th March, 1833, vice Holmes, of the 7th infantry, declined.

3. The following named cadets, constituting the 1st class of 1834, having been adjudged by the academic staff at the June examination, competent to perform duty in the army, the president of the United States has attached them as supernumerary second lieutenants, by brevet, to regiments and corps respectively, as candidates for commissions therein.\*

*Corps of engineers.*

1 Wm. Smith, New York. 2 John Sanders, Florida.  
 21 Henry S. Turner, Virginia.

*Regiment of dragoons.*

*First regiment of artillery.*  
 4 Thos. A. Morris, Indiana. 9 John F. Lee, Virginia.  
 5 Robert Allen, Maryland. 12 C. B. Chalmers, Dis. Col.  
 7 Epaphras Kibby, Ohio. 16 L. A. B. Walbach, U. States.

*Second regiment of artillery.*

3 Harrison Loughborough, Ky. 11 Curran Pope, Kentucky.  
 6 James Duncan, N. York. 13 John E. Henderson, Tenn.  
 8 Wm. T. Stockton, Penn.

*Third regiment of artillery.*

10 Charles A. Fuller, Mass. 14 Morris S. Miller, N. York.

*Fourth regiment of artillery.*

15 William G. Freeman, Virginia.

*First regiment of infantry.*

35 William H. Price, Pennsylvania.  
 30 Richard S. Smith, Pennsylvania.

*Third regiment of infantry.*

17 James F. Cooper, Penn. 23 Thomas O. Barnwell, S. C.  
 19 George P. Field, N. York. 26 Joseph L. Coburn, Vermont.  
 20 Cary H. Fry, Kentucky. 23 Philip N. Barbour, Ky.

*Fourth regiment of infantry.*

31 Eustace Robinson, Virginia. 34 John Graham, New York.

*Fifth regiment of infantry.*

25 Goode Bryan, Georgia.  
 32 William S. Ketchum, United States.

*Sixth regiment of infantry.*

18 Gabriel R. Paul, Missouri. 29 Arnold Harris, New York.  
 22 Seneca G. Simmons, Vt. 33 Forbes Britton, Virginia.  
 24 Henry McKavett, N. Y. 36 Alex. Montgomery, Penn.  
 27 James G. Reed, Penn.

III—CASUALTIES.

*Resignations.*

*First lieutenants*—Daniel Tyler, 1st artillery, 31st May, 1834; John Archer, 3d infantry, 31st March, 1831.  
*Second lieutenants*—James Clynnan, dragoon, 31st May, 1834; Thomas J. McKean, 4th infantry, 31st March, 1834; Albert S. Johnston, 6th infantry, 31st May, 1834; Henry Du Pont, (brevet) 4th artillery, 15th June, 1834; Asher Philips, 17th January, 1834—paymaster; Lucius Abbott, 31st March, 1834—assistant surgeon; Richard Wayne, 31st January, 1834, do. do.; Charles W. Handy, 31st May, 1834, do. do.; C. R. Leslie, 15th April, 1834—teacher of drawing military academy.

*Declined*—1st lieut. Stephen W. Moore, of the regiment of dragoons; 2d lieut. Theop. H. Holmes, of the regiment dragoons.

*Deaths*—Brevet maj. P. H. Perrault, topographical engineer, 28th January, 1834; capt. Matthew A. Patrick, 1st artillery, 6th March, 1834; 1st lieut. Abram C. Fowler, 2d artillery, 30th April, 1834; 2d lieut. William Bradford, dragoons, 17th March, 1834; 2d lieut. Samuel K. Cobbs, 3d infantry, 11th January, 1834; 2d lieut. Joseph Ritner, 4th infantry, 18th February, 1834.

*Dropped*—Capt. B. L. E. Bonneville, 7th infantry, 31st May, 1834.

4. The officers promoted and appointed, will report accordingly, and join their proper stations and companies without delay; those on detached service, or acting under special orders and instructions, will report by letter to their respective colonels.

5. The brevet second lieutenants will join their respective regiments, and report in person for duty, agreeably to regulations, by the 15th day of October; and immediately, by letter, to their respective colonels, who will assign them to companies.

By order of ALEXANDER MACOMB, maj. gen. commander in chief: R. JONES, adj. gen.

\*All these being cadets, and appointed brevet second lieutenants on the 1st July, 1834—it is not necessary to do more than give their names and states—the figures prefixed showing the rank of each officer.



# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 25—Vol. X.] BALTIMORE, AUG. 16, 1834. [VOL. XLVI. WHOLE No. 1,195.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Having a little command over the contents of our pages, previous to the commencement of certain long but important articles, that must be inserted, we have partially cleared our files, and given to the REGISTER more of a miscellaneous character than it generally bears. The present number is rich in the expressed opinions of distinguished persons, on the present state of things, in their answers to various invitations given to them.

Our attention to the article concerning the "loausts" was invited by an old, and much valued and intelligent friend—for which we take leave to thank him. The facts stated are interesting—and, as he stands anonymously before the public, we think it not impertinent to say, that we have entire faith in the matters presented by him, concerning this singular insect. His name, if given, would not need our endorsement, with those who have the pleasure of knowing him.

An interesting article on the wool trade, from the "Boston Courier," will be found in a subsequent page. It is clearly shewn that the price of this valuable staple has much declined, since last year. We expected and feared this result. It is no part of the policy which we would have pursued that has caused a diminished price for wool—nor could it, until by encouraged production, the quantity pressed on the demand—when this commodity, like all others, would be subjected to the common laws of trade.

We wish to refer the article on "county museums" to the serious attention of our readers, that they may see how great an amount of benefits can be obtained through the agency of very simple means—combining both pleasure and profit.

A broad view of the several censuses of the United States, by states, is given in a following page. The aggregates, by states, will be repeated, in a subsequent paper, to shew the rates of increase per cent. in each state—with the estimates that we made in anticipation of the two last censuses, and an attempt to calculate the population in 1840, having guessed pretty well on former occasions, as to the grand totals, though sometimes considerably wrong in the locations of the people. In this latter we do not now expect to be more fortunate—for the currents of emigration are altogether uncertain, as well as the masses of them; now there is a brisk and then a slackened movement from, or into, some of the states or territories, governed by circumstances that no one can foresee. The general ratios of increase, per cent. however, will decline as the gross number of the population advances—thus, if a certain district contains 100 persons and receives another 100 in any given time, the increase is 100 per cent. but if the population is 200, and 100 be added, the increase is only at the rate of 50 per cent. and this principle operates against the power of emigration from Europe, which is large, but still a small matter compared with the natural increase. On these subjects we propose to indulge ourselves in some speculations, built upon ascertained facts, for the amusement or instruction of those who are curious in such things, with references also to the effects of an increased population on the general business and wealth of well-governed communities.

Certain papers are copied from the London Herald relative to a recognition of the independence of the new American states, by Spain—a measure which the two last and the present presidents of the United States have all had much at heart. We fear that the people of these states are not fitted for the enjoyment of liberty, but their happiness might be promoted, and Spain herself benefited.

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ted, we think, by an acknowledgment on the part of the latter of a state of things that really exists, and cannot be altered, by any other act on her behalf.

Mr. Chambers having been appointed chief justice of the 2d judicial district of Maryland, vice Earle, resigned, a vacancy is made in the senate of the United States—from which body we must regret the departure of Mr. C. and so will many, as having been among the most attentive and industrious of its members.

A public dinner was recently given to Mr. Brown, one of the senators from North Carolina, in Craswell county. Among others, the following toasts were drank:

The president of the United States: He never shrinks from responsibility, when duty to his country calls for action.

The United States bank: A violated constitution proclaims its origio, a mercenary press and influenced senate proclaim its corruption, an indignant community decrees its downfall.

Our distinguished guest, the hon. B. Brown, a democrat of the Jefferson school: an honest and fearless advocate of the rights of the people: North Carolina will appreciate his worth, and in her gratitude reward his services.

After this toast was drank, Mr. Brown rose, and delivered an eloquent and animated address to the company, by whom it was received with the most profound and respectful attention. He concluded by offering the following sentiment:

The responsibility of public agents to their constituents: The vital principle of republics; the surest means of preserving our free institutions.

The hon. Thomas H. Benton, A native of North Carolina, the disciple of Jefferson, a consistent democrat, the lion of the west: When he raises his voice in the senate, the calculator of the bank fear and tremble; he is emphatically on the high road to honor and promotion.

Nathaniel Macon: The best living model of republican simplicity and political consistency.

A great "whig" dinner was given to Messrs. Silsbee and Webster, senators from Massachusetts, at Salem, in that state, last week—the company consisted of 900 persons, and several other invited guests were present, among them gov. Davis, lieutenant gov. Armstrong, and Messrs. Bates, Choate, Everett, Lincoln and Reed, members of congress, with Mr. Evans, of Maine; and from others that had been invited excuses were offered. Several long and earnest addresses were made—some of them in great power, but we cannot make room for them now. Among other proceedings—

The following letter from ex president Adams, was read by the chairman of the committee of arrangements: Leverett Saltonstall, esq. Salem.

Quincy, 29th July, 1834.

Sir: I have received your obliging invitation in behalf of the whigs of Salem, of my attendance at a dinner to be given to the senators of the commonwealth, in the congress of the United States. Cordially approving the conduct of those eminent citizens, in the station assigned to them by the confidence of their constituents, I regret that my engagements will deprive me of the pleasure of joining with you in the festivity by which you propose to signalize your approbation of the firmness and ability with which they have discharged the trust committed to them. Of the importance of the services rendered by them to our common country, in the trying emergencies which mark the present era of our history, I entertain the liveliest sense. It is in the senate of the confederated nation, and I regret to be obliged from the deepest conviction to add, in the senate alone, that the friends of our union, and of its free, republican institutions, can find a solid foundation for the cheering hope that they will be preserved and redeemed from the imposture of pretended reform, from the frenzy of senseless experiments, and from the rapacity of executive usurpation.

Under this impression, I tender to the whigs of Salem, with my thanks for their friendly invitation, the following sentiment: "The constitutional check of the senate, fearlessly and faithfully applied to the executive SIMPLE MACHINE."

And remain, very respectfully, sir, your obedient servant,  
JOHN QUINCY ADAMS.

Mr. Churchill, of Maine, who gave the only vote from that state to general Jackson in 1823, is now the "anti-Jackson" candidate for congress against F. O. J. Smith,

the present member. Mr. C's vote was called "a star in the east," in 1828

We did intend, as stated in the "N. York Mercantile Advertiser and Advocate," to have made a full record of all the votes given at the presidential election in 1832, and expended a good deal of time in the collection and preparation of materials for it; but from several of the states the returns were not presented, or so imperfectly that we could not use them, and thus the project was, of necessity, abandoned. Such tables are not mere matters of political curiosity—there is often political utility in them, and hence the earnestness with which we have sought the facts necessary to compile them.

It has been more than once mentioned, that a grand project is entertained of opening a sloop or steamboat navigation from the Chesapeake bay to the lakes, by way of the Susquehanna river, &c. A late number of the "Harrisburgh Intelligencer" has a long account of certain proceedings had in relation to this matter, which is spoken of as an improvement that may be certainly effected, and without an extraordinary effort or extravagant use of means—and if effected, what mighty results must flow from it! The navigation would pass through the great iron and coal regions of Pennsylvania, and near the beds of gypsum, and the deposits of salt, in New York, &c. We do not remember the distance on this proposed line, but think that it is much shorter and more direct than any other, between the great waters of the north and west and those of the south. Already, indeed, are Huron and Michigan brought near to the Atlantic, distance being measured by time—but mightier things are yet to be done than any that are now accomplished. The march of science and of power has only just begun—but, to proceed as it ought, must be encouraged; and, with the passage of Mr. Clay's land bill, only, incalculable benefits would be rendered to the people of all the states. This bill will pass—for, while its provisions would do much in the way of improvement, they must effect a yet more important service in consolidating, not the government, but the citizens of the United States, and make every man feel more and more that he has a country and a home worth defending, with neighbors and friends in every part of this widely extended republic—and besides, every public improvement softens down those jealousies, or does away, more or less, those partial attachments to localities, that have in them the seeds of controversies that may prove fatal to the best hopes of the world. The facilities afforded in the transportation of persons and commodities, vast as they now appear, are mere types of those which are to come, for the public accommodation and profit. It is less than 20 years since a subscriber to the REGISTER informed us that it cost him twenty bushels of wheat, and the labor of a man and two horses nearly two days, to carry it to the market, to pay us his annual subscription of only five dollars—but the state of things is very different with that gentleman now; and so it is with relation to other coarser commodities, earths or minerals, the products of forests and mines, and other precious deposits of nature for the use and benefit of mankind. Let then the good work go on—and the people, with one accord, place their sovereign veto against all persons who attempt to forbid the progress of INTERNAL IMPROVEMENT.

Dr. William Howard, and two assistant engineers, have been assigned by the war department to make the examination or survey of the proposed work, beginning at Columbia, we believe, as the Susquehanna, from its mouth to that point, has been already surveyed. A slack water navigation, with locks, is chiefly contemplated. Some short canals, however, will be necessary, to overcome the more rapid falls of the river, &c. at certain places. Dr. H. had arrived at Harrisburgh, and was taking measures to commence operations immediately.

A steamboat is about to ply between Wilkesbarre, Pennsylvania, and Oswego, New York, as we see it is stated in a Pennsylvania paper.

Great works have been accomplished in Canada, and others are about to be commenced, in the improvement of the navigation of the St. Lawrence. It is within the

range of possibilities that some great city, to be located on Lake Superior, may be visited by vessels direct from Liverpool—though not of that "peculiar construction" with which Englishmen expected to ascend the cataract of Niagara, at the beginning of the late war! That cataract, however, is no longer an impassable barrier between the upper and lower lakes. A canal has been made round the falls, and the ascent or descent between Ontario and Erie is easy.

There has been some warm editorial work, in the late hot weather, between the "New York Journal of Commerce" and the "Mercantile Advertiser and Advocate," and the facts stated seem proper for record. The "Journal" published a list of foreign arrivals, at the port of New York, shewing that they amounted to 1,122 in the first 7 months of 1833, and to 1,218 in the same time of 1834, and also that 163 "cargoes" of dry goods had been received in the first period, and 189 cargoes in the other, saying, however, that the increased cargoes were made up of a less amount of goods. On this, the "Advertiser" is furnished with a list of ten first rate ships, being of the large and splendid packets that ply between New York and Liverpool, or London and Havre, making 20 passages to Europe and back, from the 8th December, 1833, to 25th July, 1834, giving all their names, with the exact amount of the out and home freights carried each voyage. The aggregate of the freights is equal to 88,076 dollars, whereas the outlay on the voyages, such as for wages, subsistence, &c. is shewn to be 120,000 dollars, and the whole run of the vessels, including interest on the east of them, &c. is put down at 180,000, in the eight months stated—the cost of the ships being rated at 500,000 dollars; and it is broadly asserted that the freights fell short of the actual expenses in the sum of \$91,924.

It appears to us that this case is fully and fairly made out; but the transportation of passengers forms a considerable part of the ordinary business of these vessels—and this source of income seems on the increase, now working both ways. As for example, the Independence, a new and most splendid ship, which sailed on the 8th August for Liverpool, had only £256 8s. 3d. freight, but was filled with steerage passengers, returning home, to the utmost limit allowed by law, and otherwise would have had at least three hundred, for so many applied for berths in her.

The Advertiser further says—The amount of duties on the cargo of the packet ship John Jay, on her last arrival, did not exceed ten thousand dollars. Some of her former cargoes have paid \$150,000 duty.

These return cargoes of passengers are becoming more and more common; but the bringing of them appears also on the increase—for, in the first 7 months of the present year, there arrived 34,625, against 23,316, same time, last year. But those who return, being generally of the better class of emigrants, and having also some money, or the means of making it, are such as we are most anxious should find reasons to remain with us.

In speaking of the "right of instruction" in the last REGISTER, we asked—

"Is the whole policy of this government, on great national questions, to be changed as accidental changes take place in the politics of members of the state legislatures?"

This query was put with particular reference to the state of New Jersey. Since then we have picked up the following statement of the results of the elections in 1832 and 1833. The first shewed the strength of parties, a strong vote, on both sides, being given at the polls; but the second shews only the apathy or self-confidence of one of the parties, and the laudable vigilance of the other; for, while one party fell short more than 6,000 votes, the other was deficient only 51. And had the party which had so large a majority in 1832 continued its vigilance, would not even the political character of the present house of representatives have been changed? If 6 are taken from one side and added to the other, we have the number 12, on disputed questions.\* This shews, and to all parties, the importance of attending the polls. "Vigilance is the condition on which liberty is granted."

\*Many of the most important questions before the house were decided by a less majority than 12, at the last session.

FROM THE PRINCETON WHIG.  
New Jersey election returns of 1832 and 1833, compared.  
1832. 1833.

	Nat. rep.	Jackson.	Nat. rep.	Jackson.
Essex,	3,632	2,068	2,506	2,162
Middlesex,	1,811	1,706	1,385	1,536
Somerset,	1,195	1,332	899	1,143
Hunterdon,	1,823	2,376	1,230	2,207
Monmouth,	2,229	2,208	1,343	2,162
Burlington,	2,863	1,753	1,570	1,933
Gloucester,	1,563	1,995	771	1,446
Salem,	1,147	929	911	1,052
Cumberland,	1,171	1,079	569	966
	17,421	14,668	11,205	14,617

[By the preceding it appears that the representations of six counties out of the nine, were "accidentally" changed—that is, by the lukewarmness of one party and the continued activity of the other; for the latter party shews no *gam* of votes, but a general loss of 51; and in no one of the six cases would the number given by the instructing party in 1833 have secured the success of its candidates in the well contested year 1832.

Mistakes having been made in an article on the gold bills, published in the REGISTER of the 12th ult. which, however, had no effect on the principle of the matter intended to be shewn—viz: the great interest of the private stockholders of the bank of the United States in the preservation of a "sound currency," that their several amounts of stock held, and profits earned, may be returned, or paid, in such currency—we shall present the facts in a corrected form.

*Credits of the bank—1st of June.*

Loans and debts	\$52,201,912
Due from state banks	3,320,362
Value of real estate	3,000,000

Specie	12,298,333	58,531,274
Funds in Europe	1,500,000	1,933
		13,798,333

72,329,607

*Liabilities—1st June.*

Circulation	16,612,527
Public deposits	2,731,988
Private do.	6,867,892
	26,212,407

To be divided among the stockholders	46,117,200
Of which the United States owns 1-5th, or	9,223,450

And the private stockholders \*\$36,893,650  
\$28,000,000 of which is in the par value of their stock—the rest is profits, if the debts due are paid in a "sound currency." It is probable that the bank has also some "surplus funds."

Now, as the charter of the bank expires in March, 1836, and only two years thereafter are allowed for it to "wind up" its affairs, what class of persons are so much interested in the preservation of a "sound currency" as the private stockholders of the bank, and why should they oppose a "travelling on gold"—as the "Globe" says that the people will travel?

We desire it to be recollected, that, in times long past, we combated on the side, if we did not take a lead, of those who desired a sound and equalized currency—and that, years ago, we proposed a *reform* of our gold coinage that its standard might more nearly correspond with the silver coinage, the latter being the measure of value in the United States; but we had no idea either of making a *debased* or *depreciated* currency, or of subscribing the miserable purposes of transient political parties. Now, however, the gold bills, though not opposed as party measures, are proclaimed to be such, and the new gold coins, (called by a party name, to act on ignorant persons), are considered as a "stab under the fifth rib" to the bank of the United States, while it is supposed by the actors in this case, that the bank must and shall die a natural death, speedily! It may die, as supposed; but

\*This result is nearly the same as before, though brought out by a very different process! We were mistaken in the arrangement of the figures. It was one of these things that will sometimes happen one knows not how.

the overwhelming fact remains—that, if so, the private stockholders of this bank have a direct interest of near 57 millions of dollars in the establishment of a sound currency, that its capital, and profits earned, may be divided among them. The *inconsistency* of these men is too glaring to need further remark—but inconsistency "is the order of the day." How many years gold coinage will it take to pay the *thirty-eight* millions, unless the too highly appreciated value of our new gold coins, shall cause the people to prefer silver coins, and bring about the *import of gold and export of silver*, to settle "balances of trade" with particular places?

Specimens of the new coins are paraded as though there was a *divinity* in them, and especially to the working classes. It is a poor affair. How long will these classes be able to keep them, if obtained? They will not purchase more in the market house or at the baker's or grocer's—than bills of the bank of the United States, or other good banks; but rather pass less freely, perhaps—for it is said that they are already counterfeited. But at any rate, except as pocket pieces or *brag money*, what will they do towards the payment of persons that must immediately part with them, to pass into the banks, and there be retained, if desired by the banks, as silver coins now are? And if even five millions of dollars in gold were coined in a year, they would not pay the wages earned in a single week by those immediately dependent on the labor of their hands for daily food, shelter and clothing. Besides the idea of changing the currency, "*before the October elections*," for political effect, shews a spirit of management and deception that cannot be too severely reprov'd—it refers to the people as though they were senseless blocks and stones. And is it for this that *Liberty* has been deprived of her cap on our coins, and the precious words "*e pluribus unum*," obliterated from them!

One other remark. It appears that in the late prosperous and busy years through which we have passed, from 20 to 25 millions in specie was all that could be well kept in the United States as the basis of the currency, while the bank circulations were equal to 140 or 150 millions! Will the change from silver to gold as the basis, increase the quantity of coin, or gold, less than silver, be a matter of merchandise? Certainly not—unless the gold coins are debased, and so kept at home, like *sour flour*, or *damaged tobacco*, and on the same principle. But and if gold shall become the common currency (as we would that it should be at a justly settled legal value) in the common transactions between man and man, say not exceeding 20 dollars—what will become of the hundreds of little local banks, and the little notes issued by them? If the whole affair be not a "humbug," persons are *glorifying* in a stick that is to break their own heads; for all these money-shops must be closed, or, at least, lose the most profitable part of their business. We shall not regret either result. But this is the laughable part of the matter—many that are the loudest in praise of a gold currency are the most zealous of all persons to establish new banks, or manufactories of paper money—and so there is a hurrah on both sides, one hurrah for gold, and, by the same breath, another hurrah for rags! But some, "understand" the whole matter, and so will every body else—*after the election*.

P. S. "*To this complexion we must come at last!*" The local banks, to maintain their own circulation of what the *affiliated* presses call "rag-money," (*for the time being*), will combine for the preservation of their profits—the great *balance-wheel*, the bank of the United States being among the things that were; and the golden humbug then appear in *conspiracies* against the private rights of individuals, by paper-money-shops scattered all over the country, unless the *depreciated* value of the eagle, and its plentifulness in consequence, shall make the banks glad to part with a coin that they are *compelled* to receive. This may or may not happen; but the principle of the proceedings of the banks of Augusta, in Geo. will be generally followed, perhaps, especially in those states where banks are most numerous, or from which the current of trade renders specie a matter of *merchandise*, only, as it is in Mexico and other places producing the precious metals; and we shall have little "monsters" in abundance, to vex the people and eat out their substance; for there is no limit to the power assumed by the

combined banks of Augusta. The president of the United States, it is true, has assumed a sovereign right, and power, *in himself*, to regulate the currency—but surely it does not belong to private corporations to enter into conspiracies to do it, and force a paper circulation in the manner stated below. No one will be fool enough to send specie to the north, when he can save the cost and risk of transportation in the purchase of bills; but to say that he shall not send it, if he pleases, must not be allowed. If there is a right in local banks to prescribe the terms, or establish a money-tariff, that shall be observed, under the pains and penalties of being "out-lawed"—it may as well proceed to fifty per cent. as have a limit at a half per cent. But we cannot extend our remarks at present. We wish to see the resolutions *in extenso*, which have not yet reached us.

From the *Boston Patriot*. Resolutions of the following tenor have been adopted by the general committee of the banks of Augusta, Ga. That the account of any person or firm, dealing in exchange, who shall draw specie from any one of the banks of the city, when he can procure funds on the north, or on Charleston at one half per cent, or Savannah at one fourth per cent, shall be stopped at all the city banks; when thus stopped, notice of the fact is to be given to all the banks of the state; and if, after such notice, either of said banks shall afford facilities to such person or firm for making specie calls upon either of the banks of Augusta, the latter will from that time require specie settlements from the banks affording such facilities. Three houses have been already outlawed, in pursuance of these resolutions, by the Augusta banks.

The "Globe" says—

"On application to the treasury department, we have obtained the following:

Specie imported into and exported from the United States, from the 1st December, 1833, to August 12, 1834.

From returns received to 1834.

	Imported.	Exported.
June 9,	\$8,642,339 25	\$97,331 85
June 30,	2,165,700 97	275,219
July 26,	1,051,802 82	182,010
Aug. 12,	793,848 78	96,255
Imported,	\$12,653,691 82	\$500,815 85
Exported,	950,815 85	

Imported excess, \$11,702,875 97

This is exclusive of what is imported or brought in by passengers, &c. not entered on the manifests of vessels, and by land from Mexico and Canada. These are supposed to exceed two millions of dollars."

If this excess of importation is regarded as evidence of national prosperity, how is it that the national industry stands even yet paralyzed, and that our cities are filled with persons seeking employment, that they may get bread?

It only shews that the merchants preferred specie to other merchandise—that being in the greatest demand, else they would not have lost their freights on other commodities.

We regret to notice new appearances of the cholera at several places, in the United States, but in no one, we believe, has it yet assumed the character of an epidemic. The cases are solitary, and a large majority of those attacked, are cured, if attended to in time.

The awful season of long-continued heat that we have had, by which almost every man feels himself more or less prostrated, with the abundance of certain ripe and unripe vegetables which are consumed in great quantities, will account for an unusual number of cases of the old fashioned cholera morbus, which, by some unknown processes, may assume the appearance of that disease which is commonly known as the "Asiatic cholera."

The *New York* board of health has made two or three reports, acknowledging a few fatal cases in that city—but denying the existence of any prevailing epidemic. On the 12th—12 new cases and 4 deaths were reported by the physicians for the preceding 24 hours. The resident physician has published some apparently excellent and brief hints for the prevention or cure of the disease.

Sundry cases have happened at *Albany*; and several at *Poughkeepsie*. A letter from the latter dated last Monday states, that 25 cases and 15 deaths had taken place since Friday. Poughkeepsie is a very beautiful village, happily located, and generally blessed with extraordinary healthiness.

The deaths at *Cincinnati*, throughout the year, average about 20 per week—but in the cholera year of 1833, there were 360 deaths in July—in the same month, this year, 300; but no epidemic disease is thought to prevail in that city.

A few cases have appeared at *Pittsburgh*—but no considerable degree of alarm existed, and the health of the city was generally good.

Deaths by cholera occur in many parts of the west, but we do not see it mentioned as extensively prevailing any where, at present.

At *Montreal* the deaths by cholera were on the 6th 35, on the 7th 40—greatest number in one day 49; and at *Quebec* from 20 to 30 a day—on one day 57! Large numbers of persons, chiefly newly arrived emigrants, die on board of the ascending steamboats. Ten or twelve other places in Canada are named as presenting cases of cholera. At *Montreal* 410 deaths occurred from the 12th to the 21st ult. This is a very large number for that city, except on account of the emigrants.

Though some of the most prudent and highly respectable persons have died of cholera this season, and especially at *Montreal*, a very large majority of the cases have happened in emigrants, or other persons careless of health, or badly provided for, and closely stowed together in filthy and contracted places. In some of these the wonder is how people live at all in such weather as we have had for several weeks past. The heat is general—and at *Quebec* as severe as elsewhere.

A *New York* paper of the 7th inst. speaking of the *Indiana* 5 per cent. loan says—

This loan of five hundred thousand dollars, for which proposals were received at the Merchants' bank in this city yesterday, was taken by Messrs. Prime, Ward & King at one hundred and one dollars 5 100ths, for each hundred dollars—principal and interest payable in *New York*. The next highest offer was a premium of seventy-six cents on each hundred dollars. We understand that the stock is redeemable in 30 years.

This loan would have brought a premium of more than twelve per cent. a year ago, and the stock will command as large a one a year hence—on a restoration of peace to the monetary affairs of the country. *Indiana* will be among the most populous and wealthy of the states—but, like all the new ones, wants much capital for new enterprises.

Of the salt manufacture in *Massachusetts*, the *Barnstable Journal* says—

At no period since the commencement of the salt manufacture in this county was that interest more depressed than at the present time. Salt works are unsaleable at any price much above the inconsiderable value of the materials of which they are composed, for other purposes. Salt is very low. Sales have been made at 31 and 32 cents per bushel, and there is little prospect for an improvement at present.

The same manufacture in the west, though not near so profitable as it was, still affords, we believe, a "living business" to those engaged in it, and especially such as have adopted improved processes for making it. The product of the springs in *N. York* are in about their usual demand. These springs are a "monopoly" of the state, and afford a considerable revenue.

The general price of salt is considerably affected by the reduced cost of freights. Large quantities are now brought into the *U. States* in lieu of ballast—for if, the advanced price will even pay for the labor of loading and unloading the salt, something is saved. Our vessels, to or from *England*, including the packet-ships, seem glad to get almost any thing by way of freight, and at almost any price.

We have a good many returns of the late elections in *Kentucky* for members of the legislature, except in the 5th congressional district, made vacant by the decision of the house of representatives in the case of Messrs. *Letcher* and *Moore*.

So far as heard from, and enough seems to have been heard to settle the political character of the next legislature of the state, it will be composed of an overwhelming anti-Jackson majority, elected also by greatly increased majorities of votes. The "Observer and Reporter," in the flush of victory says—"that Jacksonism is extinguished in *Kentucky*—scarce a solitary vestige is now left of that once powerful and desolating scourge." But this is,

perhaps, saying too much. We shall have the particulars for our next paper.

The contest between Messrs. *Letcher* and *Moore* was one of the most earnest that ever happened, and the poll a very great one. Much is said about certain efforts used, and the show of gold coins made, but we do not enter into details of such things. The result, however, was, that Mr. *Letcher* is elected by a majority of 258 votes, and, if there be not a repetition of the theretofore unprecedented act of baseness, in *withholding the returns*, will take his seat in December next. But we cannot suppose that an affair of this kind will bear a repetition! The history of the former election, in the proceedings, motives and results that have happened, is without its parallel.

There are also partial returns from *Indiana*, of the election of governor and members of the legislature—those of congress do not take place until next year.

The following are all the returns that we have seen— for governor:

	Noble (anti Jackson),	Reed (Jackson).
Madison county,	1,021	6e9
Wayne do.	2,225	578
Vevay township,	414	119
Edinburg do.	84	12
Columbus do.	463	431
	4,207	1,829

We have no means of judging how far the present large majority for Mr. Noble is decisive of the result

Australia is furnishing England with large supplies of wool, and the capacity to increase the quantity seems without limit, from the abundance of wild land naturally fitted for the support of sheep. See page 423.

The great woollen factory at *Salmon Falls*, N. H. was entirely consumed by fire on the 7th inst. Whether it originated in the picker, or from spontaneous combustion of oiled wool, is not known—but so rapid was its progress, after its first discovery at 5 o'clock, P. M. that the stair-way was insufficient to vent the affrighted working people, and two girls were burnt to death, another killed by a fall, and several much injured by jumping from the fourth story! Others hung to the window sills out-side of the building, until relieved by ladders! It must have been an awful scene, indeed. The loss is estimated at 180,000 dollars, a part of which is insured. The finished goods and materials were chiefly saved.

This establishment cost 300,000 dollars, and was one of the very largest and best managed in the United States. It had sixty broadcloth looms, and manufactured about 300 yards of cloth per day; giving employment to about 200 persons, and support to 500 inhabitants.

Promptitude is the life of business, being also the parent of confidence—and we see that the *Pittsburgh Navigation and Fire Insurance company* are earning "golden opinions" in ready and cheerful payments of losses sustained by them. Instances are mentioned which shew that this establishment is in the hands of practical business men.

A report was promulgated a few days ago at Boston, that a young lady, who had joined a convent of Ursuline nuns at Charlestown, and taken the veil—having repented, had fled from the convent; but being traced, was inveigled back again, and had disappeared.

Such a report was not credible—for every body knows that force would not be permitted on such an occasion; and common sense teaches us (to say nothing of the unrightfulness of the proceedings intimated), that no religious sect or body would NAME policy out of the question, attempt things of this sort amongst us—for if the law failed to give redress, there was reason to apprehend that the body of a person so missing might be sought for even under the foundation walls of her supposed prison!

But there seems not to have been a shadow of truth in the story, except that a nun left the establishment in a state of mental alienation, and remained absent some days—that she freely returned, in company of her brother and of the bishop, and was left free to leave the convent when she chose. But still the report was believed, and

before 12 o'clock in the night of the 11th inst. a mob assembled and attacked the convent with stones, &c. and finally, gathering strength and boldness, they set fire to the building, which was wrapped in flames, when the account came away. The fate of the inmates is not stated.

The following letter from the bishop to the father of the young lady, who resides in New York, will explain this matter—and the New York American says, with authority, that there is no truth in the report that her friends in Boston could not find her.

Boston, July 31, 1834.

Dear sir: Your son, Thomas, will have undoubtedly already informed you of the debilitated state of mind in which your daughter, Elizabeth, has been since last Sunday, and the temporary derangement which ensued, occasioned, as the physician reports, by a violent fit of hysterics. While this lasted she left the convent in her dress of a religious, and went to a neighbor's house, from which she was conveyed, by said neighbor, to the house of one of the parents of the children whom she had formerly instructed in the convent, where she remained until your son and myself went thither and brought her back to the convent on Tuesday evening. I need not describe to you the uneasiness of mind and dreadful anxiety under which we labored whilst she continued absent from the convent. This you can more easily conceive than I can express. But, thank God! she appears now quite composed, and in a short time will be quite well again. I saw her yesterday after the physician had left her, and found her again rational, and considerably better in health. She appears quite amazed at the step she had taken, and does not know how to account for it. I trust that in a few days more she will be herself again, and perfectly recovered. I remain, with respect, your obt' servt.

B. FENWICK, bp. gen.

The bishop was naturally alive to the odium that would flow from a supposition that the nun had been *secreted*, and hence his anxiety on the subject. We have often heard Dr. *Fenwick* spoken of most worthily—and that he would mis-state the facts, is an idea that cannot be entertained. We are mortified and disgusted at the recurrence of such outrages, but, surely, did not expect any thing of the kind to happen at Charlestown. It is no excuse for such proceedings, but it would seem that due pains were not taken to arrest the progress of popular feeling, which, indeed, might have been unknown, or its force unappreciated, by those most interested in its effects.

P. S. After this paper was "made up" for the press, we received further accounts of the abominable outrage above mentioned. We can only say, that the convent and school-rooms, a large and beautiful building, was consumed, including the most of its furniture, with its out-buildings and the bishop's cottage—but the persons of the inmates were not injured; yet the tomb, at the foot of the garden, was violated! The local police seems to have been stupefied by the fury of the mob, and offered no effectual resistance. It is said, however, that one or two muskets were discharged from the convent, or one of the adjacent buildings: but the affair has caused a great excitement, and sober truth is not yet fully stated. An immense meeting of the people of Boston, however, was held at Faneuil Hall, (on the invitation of the mayor), at which a most respectable committee was appointed, (*H. G. Otis*, as its chairman), to assist in bringing the offenders to justice, and expressing, in the severest terms, the public indignation at the outrage committed. The whole proceeding is, on every account, most decidedly condemned, and we have no doubt that the loss of property will be fully indemnified by the always liberal citizens of Boston.

There was also a great mob and riot in the lower part of *Philadelphia*, in the evening of Tuesday last. For some cause not stated, a large party of young men met, and attacked a place where the amusement of what is called the "flying horses" was kept, and frequented chiefly by blacks. These defended themselves, and a bloody battle ensued. The mayor and his police maintained themselves manfully, and, assisted by many special constables, restored the public peace; but the buildings were demolished and much damage otherwise done—several hundred persons being engaged in the affray. Many prisoners were taken and committed. A large number of the police were wounded. It was a very fierce and wicked affair.

In the last REGISTER, page 404, under the head of "Political History," we inserted letters from Messrs. *Harrison Gray Otis* and *John Lowell*, having a relation to certain remarks made by Mr. *Pierce*, of Rhode Island, in the house of representatives of the United States.

Mr. *Potter* was referred to, by Mr. *Pierce*, as the authority of the latter for the assertions made by him, as to the designs of the Hartford convention—rejected in the letter of Mr. *Lowell*; and, in consequence, Mr. *Potter* appears in the "Rhode Island Republican," and, addressing the editor, says—

I have seen a letter in the Herald of the Times, from Mr. Lowell of Boston, denying his having had any conversation with me respecting the Hartford convention. I think it due to him as well as to myself to say that I never had any conversation with him on this or any other subject, nor ever told any other person that I had—that I never saw him to my knowledge, and have never had any correspondence with him. In consequence of my political opponents in this state charging me with being in favor of that convention by way of reproach, I have stated to several citizens of the state a part of a conversation that I had with col. Pickering, when he first received information from Massachusetts, (which, if I recollect well, was communicated to him in a letter from Mr. Lowell), that they had appointed delegates to that convention, and he said he hoped Rhode Island would do the same. I told him I hoped they would have more prudence than to have any thing to do with it; that although I had been opposed to the administration and many of its leading measures, yet I was unwilling to do any thing to encourage Great Britain to continue the war or to exact harder terms in a negotiation for peace than she otherwise would, and was not willing to do any thing that might tend to injure the country merely for the purpose of prostrating the administration.

In consequence of this conversation and the very great desire I had that Rhode Island should have nothing to do with the convention, I wrote several letters to my personal and political friends at home, and among others to the hon. James Rhodes, then, I believe, in the senate, and as I had no copies of them I applied to him a few years ago to ascertain whether he had preserved any of them, and I have now in my possession the original of the letter, (certified by him), from which, as it is long, I will make the following extracts—

[Here Mr. Potter introduces certain extracts from a letter to Mr. Rhodes, dated October 23, 1814, shewing his wish that Rhode Island should have nothing to do with that convention—but as this has no concern with the matter before us, the extract is omitted. Mr. P. then proceeds, and says—]

I am sorry to be obliged to publish any thing respecting this business. When I first obtained this letter it was for the purpose of publication but although I had the evidence in my possession of my having been opposed to the convention, yet upon reflection I concluded that it would be better to let the subject rest, and that I had rather suffer under the odium of reproach, (if indeed it is any reproach), of having been in favor of it, than to say or write any thing that should injure the feelings of any one. From my acquaintance with many of the members of that convention I should suppose them incapable of doing any thing to injure their country; yet however pure their motives, it had the same influence with the enemy as if it had been composed of a very different kind of men actuated by bad motives, and meeting for the basest purposes.

ELISHA R. POTTER.

Kingston, August 3d, 1834.

Parts of Ireland are said to be in a state of famine—and yet the crops have been generally good. The famine, we suppose, more belongs to the want of money to purchase food, than to a deficiency of food. When, a few years ago, such large sums were raised in England to relieve the famishing people of Ireland, a large part of the money was laid out at *Liverpool*, in the purchase of *Irish* bread-stuffs and meats, just received to satisfy "balances of trade;" and these were sent back, as being cheaper than England, herself, could supply. It is in the nature of the connexion between Great Britain and Ireland, and the abundance of scientific power in the former and want of it in the latter, together with the means thought necessary to keep Ireland in subjection, that causes a steady current of the earnings, or profits, of the labor of the Irish people into the possession of their more fortunate neighbors. There are vast accumulations of profits made every year in Great Britain, but, comparatively speaking, very few in Ireland, and hence the lack of capital in the one, which perpetually adds to the power of the other, making new profits. There is also a redundancy of population in Ireland, which is the more severely felt for the reasons just stated. Some relief is afforded by emigration to America, Australia, &c. but this does not, by

any means, equal the natural increase, and things get worse and worse every year; and it is also rendered more and more difficult to obtain means sufficient for the purposes of emigration.

It may be well to say one word about the accumulations alluded to. If a person, *by labor*, makes a profit of 500 dollars a year; beyond the cost of his subsistence, accommodation, &c. so much is added to the capital of the country; and, whether such profits be prudently vested in improved lands, new fences, or any thing else, he has 50 dollars, as the fair interest on the profits, to add to his capital the succeeding year, and so on at a *compound ratio*, what may be called interest is perpetually passing into what is principal; and there is also an old saying of much force that "money begets money," and so it is accumulated. Now, perhaps, there are no aggregates of surplus profits added to the average capital of Ireland by the labor of her people—and hence her misery increases as population advances, and makes new wants.

#### THE DEPOSITE BANK AT PORTSMOUTH, N. H.

Totally disregarding those decrees which the preceding and present "officials" of "the government," ordained for the observance of the *satellite* and "reformed" presses of the United States, and their "re-warded" editors—we act upon our own sense of justice, and give the following letter from the president of the bank alluded to *in extenso*, except a small part which has no direct bearing on the matters stated, and contains one or two words that could not be permitted to pass without certain comments that we have no desire to make while the "dog-star ages"—wishing much to "keep cool;" but why the letter is addressed to us, we cannot tell. It is true, that, on a great occasion in the senate, Mr. *Webster* selected Mr. *Hayne* for supporting, instead of Mr. *Benton* for advancing, certain doctrines in that body, preferring the "endorser"—but that was a question about opinions, *this* relates to matters of fact, and differs also in other material respects; and we think that Mr. *Waldron* should have first addressed his near neighbor on the subject, for several reasons—and especially, because the authority, or responsibility of the facts rests with him, and not upon us. But all these considerations are waived, and we grant to the bank the benefit sought in the publication of the letter of its president—only wishing that he may mete to others the measure that has been meted to him, on this occasion—however repugnant it may be to the governing power in New Hampshire, as to doing unto others as we would that they should do unto us.

Portsmouth, Aug. 4, 1834.

#### HEZEKIAH NILES, ESQ.

SIR: In your Register of the 19th ult. I observe the following: "We see it mentioned in the Providence Journal that the crew of a public vessel of war were lately paid off at Portsmouth, N. H. in bills of banks in the extreme parts of New York and of the bank of Michigan, which they were compelled to make sale of at 2 or 3 per cent. discount before they could even buy a glass of grog;" and again, in your paper of the 26th ult. you allude to the same subject; as the statement has no foundation in fact, I must ask you to correct it in your next paper. The ship *Lexington* having been the only public ship whose crew have been paid off at Portsmouth, N. H. since the removal of the public depositories, it must, I presume, be in allusion to the payment of the crew of that ship that the above false and scandalous report was fabricated. The crew of the *Lexington* were paid off here in May last by the purser, Mr. Andrew J. Watson, who gave his check to each one of the crew for the amount due, on the Commercial bank in this town—these checks were presented at the bank by the persons to whom they were made payable, and they received in payment the bills of the Commercial bank, or specie, as best suited the convenience or wishes of the persons presenting them, and no payment to the amount of a dollar was made, or offered to be made, in any bills not equal to specie, or payable at a greater distance than Boston, and then only at the request of the receiver. And as to Detroit or Michigan bills, or the bills of any extreme part of New York, no such bills were ever offered to the crew of a public ship at Portsmouth, or to any other person for them, nor did the Commercial bank own or have in possession any such bills at the time the crew of the *Lexington* were paid off, or at any other time, nor do I believe that there ever could have been collected in Portsmouth, at any time, twenty dollars of such bills.

[Here a part of the president's letter is omitted, being a mere repetition of what is stated before, and for the reason stated above. Mr. *Waldron* then adds:]

All the banks in Portsmouth, N. H. six in number, some of which have been in operation from 30 to 40 years, deal in no other bills than those which are equal to specie, and have never suspended specie payments a single moment, during the whole term of their existence, and I trust they never will. I am, sir, with respect, your obedient servant,

ISAAC WALDRON, president  
of the Commercial bank.

\*Mr. W. should not think it very strange that we supposed such operations were possible, from many things that have happened.

P. S. As I consider the Commercial bank; being the deposit bank, to have been much injured by the publications in your Register of the 19th and 26th ult. I can but hope you will be willing to give the above letter an insertion in your next Register. I. W.

—♦♦♦♦♦  
FOREIGN NEWS.

From French papers to the 2d July and London to the 4th. GREAT BRITAIN AND IRELAND.

The bill for the amendment of the poor laws passed the house of lords on the 1st July.

Earl Grey introduced the Irish coercion bill, amended so as to deprive it of the military coat martial, into the house of lords on the 1st July, on which occasion he made a long and eloquent speech in support of the bill.

The imprisonment for debt bill had been read a second time. The cholera was in Dublin and Kingston, Ireland.

The queen of England is about to visit Germany, her native country.

FRANCE.

A sister of the queen of Spain and the duchess of Berri, a Neapolitan princess, was in Paris, and on the pretext of attending the exhibition of the products of French industry, which had already closed. Her arrival had given rise to various speculations, one of which was that she was destined to marry the prince royal, the duke of Orleans.

The new chambers were to meet on the 31st July. A large fleet was at Toulon awaiting orders.

SPAIN.

General Rodil was to march with 40,000 men against the provinces of Navarre and Biscay, and thus finish the spirit of rebellion at a blow. The queen reviewed the troops on the 21st June, after which she distributed crosses and made some promotions. The queen had made 86 peers, many of whom are liberalists. Don Jose de Inaz, minister of finance had resigned, and his place filled by count Toreno, whose appointment had given general satisfaction. The queen had nominated the dignities of the church and others who are to sit in the upper branch of the cortes.

HOLLAND AND BELGIUM.

The crops were abundant. King Leopold had granted a premium of 35,000 francs to a merchant who had sent the first vessel of the size of 250 tons, to Alexandria in Egypt, loaded with articles the production of national industry, and another premium of 3,000 francs to a merchant who had sent a vessel similarly laden to Algiers. 1,200 men of the army were suffering dreadfully with the ophthalmia, and 4,800 more had taken the seeds of the disease. The government had sent to various parts of Europe for medical assistance. The Dutch army was concentrating on the borders of Belgium; said to be for exercise.

PORTUGAL.

A legate of the pope had arrived at Lishon, empowered to yield all the concessions to Don Pedro, fearful that he might otherwise throw off all allegiance. The decree for the suppression of convents and the confiscation of the property of monks was being carried into effect.

—♦♦♦♦♦  
ANSWER OF MR. POINDEXTER

To an invitation to a public dinner at Louisville, Kentucky. *Washington Hall, (Louisville), July 28, 1834.*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of this date, inviting me, in behalf of a "number of the citizens of Louisville, to partake with them of a public dinner," at such time as may suit my convenience. The very great anxiety which I feel to reach home, and mingle with my constituents, at this interesting and important crisis in public affairs, induced me for a moment to hesitate, before I concluded to accept your polite invitation; but the delay of one day in the departure of the steamboat, which is to convey me to Natchez, allows me an opportunity, which I embrace with pleasure, to name to-morrow as the day on which I shall be happy to meet my friends and fellow citizens of Louisville, and partake of the hospitality which they have so kindly tendered. You have been pleased, in terms highly flattering to my feelings, to ascribe to me a "noble scorn of corruption, and a fearless, unshrinking devotion to constitutional liberty." How far my public conduct merits this distinguished notice, is a matter concerning which candid men of all parties must decide, on an impartial review of the evidence before them; but I may be permitted to say, which I do with the utmost sincerity, that I aspire to no fame more pure and exalted than that which is comprehended in the "scorn of corruption," and a patriotic devotion to "constitutional liberty." In the great struggle which arose during the late session of congress, and which yet remains undecided, between "civil liberty as secured by positive law and the capricious will of a tyrant," I am but too sensible that your partiality has led you to place an estimate on my services, beyond their intrinsic value. "To the master spirits"—the eminent patriots and statesmen of the body, of which I am a member, and with whom I was a humble actor, the country is most "indebted for whatever of freedom she still enjoys;" but, among them, I have no other claim to the gratitude of my countrymen than that which is founded in honesty of purpose, and a sincere desire to arrest the arm of usurpation and despotism, and restore the constitution and laws to their original purity and vigor. The foul personal calumnies, to which I have

been subjected, and to which you allude, through the organized, pensioned presses of the corrupt and vicious administration, whose misrule I had contributed to detect and expose, have not fallen on me alone, and are regarded with the most perfect contempt and indifference. The cause of truth and honor requires no such poisoned weapons; they are taken up only to defend the retreats of guilt and perfidy. I concur with you, in considering it "a part of the established system by which lawless power is vainly seeking to prostrate every individual who boldly withstands its all grasping usurpations." The trophies of a virtuous and enlightened people, can alone correct an evil which operates in derogation of the inestimable blessings of a free press, when conducted for the attainment and diffusion of information connected with the public good. I pray you, gentlemen, to accept for yourselves, and those you represent, the assurances of my best wishes and friendly salutations.

GEO. POINDEXTER.

To Messrs. W. W. Worsley, George W. Chambers, Benjamin Cauthon, George Keats, Joseph S. Benham, E. T. Bainbridge, Samuel Bell, A. S. Thruston, J. Miller, jr. M. R. Wigginton.

A large party assembled on the occasion—about 150 of the most respectable citizens of Louisville, and the toasts and other proceedings were of an uncommonly ardent character; but we shall insert an account only of a sufficiency of them to shew the temper that prevailed.

TOASTS.

Public liberty, violently assailed by an executive cabal. People of the United States: keep a vigilant eye upon your president—Tiberius had his Sejanus. Jackson has his Van Buren.

The constitution of the United States. The wounds inflicted upon it can only be cured by the people at the polls.

Our guest, the hon. George Poindexter. In him we recognize one of the noblest of that Spartan band who have saved their country. He might have been the most cherished idol of the president, but he has won for himself a far higher and more glorious distinction—the friend and favorite of the people.

After the announcement of the fourth toast, (says the Louisville paper), which was received with roars of acclamation, Mr. Poindexter rose and made an address of an hour and a half to the audience. It was every way worthy of that "noblest title of man," an AMERICAN SENATOR. The speaker's theme was the recent usurpations of the executive department of the general government.

We shall not attempt to give a sketch of the speech, for we hope to be able, ere long, to lay it entire before the public. At the close of it Mr. P. offered the following sentiment:

*The approaching elections*—In a contest between absolute power in one man and a government of departments, each limited within its own orbit, can a free people hesitate which to choose? No; they will rise in the majesty of their strength, and rescue their liberties from the grasp of the usurper.

Henry Clay. "The light shineth in darkness, but the darkness comprehendeth it not."

Martin Van Buren. The true author of the removal of the deposits—like the veiled prophet of Khorassan, he will find that his silver veil is too flimsy to conceal his impostures.

Amos Kendall—

"Oh, for a tongue to curse the slave,  
Whose treason like a deadly blight,  
Comes o'er the councils of the BRAVE,  
And blasts them in the hour of night."

Mr. Webster, and other distinguished persons, were also remembered in the volunteer toasts. Enough, however, has been inserted to shew the character of the party, and the temper of its proceedings, as proposed above.

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REPLY OF MR. SPEAKER BELL

To an invitation to partake of a public dinner at Nashville. *Nashville, July 30th, 1834.*

GENTLEMEN: Your note of the 28th instant, inviting me to partake of a public dinner, at such early time as may be convenient to me, was received on that day, but my private engagements prevented an immediate reply, and I must beg pardon for the omission.

I receive with due sensibility this mark of regard from the citizens of Nashville, and the expression of respect and confidence, contained in your note, affords me a high and unaffected gratification. To accept this civility, however, would probably, at this time, cause some inconvenience to those who have so kindly proffered it, inasmuch as an entertainment is in contemplation for the president of the United States, whose arrival is daily expected. I beg leave, therefore, respectfully to decline this invitation; but, as I am not, I presume mistaken in supposing, that, besides the compliment of a dinner, your intention is, also, to afford me an opportunity of refuting the misrepresentations, in regard to my course during the late session of congress, which found their way to the public ear so soon as the result of the election for speaker to the house of representatives was declared, I will remark that such an opportunity would be more agreeable to me at a later period of the vacation.

I regard many of the misrepresentations alluded to, as the natural and but too common resort of unsuccessful opposition. Feeling the fullest assurance that, with but few exceptions, I had the confidence of the members of the house of representatives, there was no necessity that I should notice statements derogatory to the honor and character of their presiding officer,

which were not credited by them. Among my fellow-citizens of the country generally, I have not found any such degree of credence given to these statements as called for a public and particular notice from me. My indisposition to appear before the public, except in the discharge of my duties as a representative in congress, until a sufficient time had elapsed for the return of reason and moderation among those who were disposed to find fault with me, caused me to decline attending several public dinners to which I had been politely invited before I left Washington. It would be extremely unpleasant to me to be under the necessity of replying to some of the misrepresentations, which have been made of my recent course in congress, in the same spirit in which they have been propagated in some of the neighboring districts of this state and in this town.

It cannot be expected that I will continue to act on the defensive, and a contest may be provoked, which may turn out alike unprofitably and disagreeably to all concerned. Although, therefore, I am aware, that, when men are actuated by the passions which excite those who have assailed me, in this instance, their rage is generally increased, and their efforts redoubled in proportion to the injustice of their proceedings, and the obstinacy of the people in resisting the impression, they desire to make, yet I prefer a postponement of any more formal and particular attention to this subject, on my part, and hope for a returning sense of justice and propriety on the part of others.

As no occasion, however, so fit and proper, may, at any time, present itself, I will avail myself of this opportunity to declare, in general terms, that all the statements, whether circulated through public or private channels, prejudicial to my honor, or imputing to me any impropriety of conduct in relation to the election of speaker, so far as they have reached my ears, are destitute of the slightest foundation in truth, and are the sheer invention of embittered personal or political hostility, or the mis-conceptions of those who have not done me the justice to make the proper inquiry into my conduct. This insinuation, that I descended to electioneering and give pledges to either party in the houses; or, that any terms whatever were made between myself and those who supported me for the chair; or, that I wavered in my support of the administration, is, I affirm, wholly untrue, and there is not a man of truth and honor in existence who will state the contrary. The journals of the house of representatives will show my support of the administration upon every question that was acted upon during the session.

In conclusion, I will say that, of all the members of the opposition, who may have preferred me to any other gentleman of my own party, who was run for the chair, I do not believe one can be found who expected me to change or modify my support of general Jackson, or his administration, much less to join the opposition. There were but few members of the house with whom I had any intercourse upon the subject of the election of speaker, and I am bound to say, that, to whatever party they belonged, they treated me with delicacy, liberality, and propriety. I am, gentlemen, with sincere regard, your friend and fellow citizen.

JOHN BELL,

To Messrs. Hoag, Shelby, Crockett, Douglass, Foster, Nichol, Vaulz, Hill and Barrow.

#### ANSWER OF COL. JOHNSON

To an Invitation to attend a celebration of the 4th of July at Philadelphia.

Great Crossing, Kentucky, 23d July, 1834.

GENTLEMEN: Since my return home after the 4th, I received your invitation to participate with my democratic friends in the celebration of the day of Independence, at the house of George Clopi, Islington hotel, in the Unincorporated township, Philadelphia county, Pa. for which you will, even at this late period, receive my sincere thanks and grateful acknowledgments. The happiness and the liberty which we enjoy under our simple form of government, have attracted the wonder of surrounding nations, and the friends and enemies of freedom are equally anxious for the issue of our so far successful experiment. One fixes his hopes upon the belief that man is capable of self government—that the world was not made for Cæsar, but for the millions—for the people, that the only legitimate object of government is the happiness of the whole people, and the only legitimate rule to effect it is the principle of submitting to the will of the majority, fairly and constitutionally expressed—the other fixes his hopes upon the incapacity of the people for self government, upon the divine right of kings, or the rule of the few over the many. This is a time to revive a recollection of the effects of these two antagonist principles in other countries.

Our strength, our resources, our happiness and our freedom, may well remind us of the golden era of Greece, of Rome, and of Carthage, when they were great, and powerful, and happy—but let us not forget those dissections, that discord and commotion which contributed, in part at least, to their present condition. I have never permitted myself to doubt the success of our experiment.

Although the proper occasion has passed, yet I could not let go the opportunity of giving you proof, that I was not unmindful of the honor conferred, and to express my sincere friendship for each of you, and my gratitude to all associated with you. With sentiments of the kindest regard, I am most respectfully, yours, &c.

R. M. JOHNSON.

Messrs. J. R. Hopkins, Joseph Moore, Anthony Felton, Michael Pray, William Ræmer, T. J. Bryant.

#### ANSWER OF MR. BIBB, OF THE U. STATES SENATE.

To attend, on a public occasion, a meeting at Elkton, Ky.

Washington, June 18, 1834.

GENTLEMEN: Your very kind invitation was received, and it would have met my hearty concurrence to have mingled with my old friends and constituents at Elkton. But you see by the papers that the congress will not adjourn in time to allow me the promised pleasure.

I do earnestly desire to see my fellow citizens and constituents, and converse with them face to face. I believe that by so doing I could give a more impressive statement of public affairs than I could do by writing.

Our liberties are endangered. It is time for every friend of constitutional liberty, and a government of laws, to awake and be vigilant. The liberties of a nation are held at the price of eternal watchfulness. The constitution is but on paper—men must give it motion, life and activity. If the people are supine, those in power will mould the government to their wishes. The question will soon be with rulers not what the constitution is, what the good of the great body of the people requires, but how far the people will bear. Every government in its progress bad, and ever will have, a tendency to create an interest separate and distinct between the governments as one party, and the people as the other party; between office holders and private citizens, between the tax payers and tax receivers. The great body who pay taxes, must watch and keep the few, who receive the taxes from the treasury, in salaries, jobs and contracts from extravagance, waste and pillage. Frequent recurrence to fundamental principles is essential to the preservation of liberty. This maxim is engrafted into our bill of rights, and is to be found also in most of the American constitutions. It is a solemn truth impressed by history and experience.

A government may be a republic in form, but a despotism in fact. Augustus Cæsar did not change the forms of the Roman republic, but exercised a most despotic power over the laws, the liberty and the prosperity of citizens. The senate met as usual, all the officers were elected as formerly, and apparently performed their respective functions. But the emperor in fact pointed out every person to be returned by the pretended election, he made the senate dependent on him, and every officer moved and acted by his will and dictation. It was in practice the government of the will of one man, and he and his successors exercised the most unlimited and arbitrary tyranny. The whole body of the people were at first oppressed, and afterwards corrupted and brought to the most abject slavery.

When we look at the manifesto of the president read to his cabinet, the dismissal of the secretary of the treasury for refusing to obey the mandate of the president, the appointment of a successor to obey that will, the consequent violation of the public faith, and the law; the doctrines of the president's protest, and the principles avowed in the report of the secretary of the treasury, the many evasions of the constitutional checks of the senate upon executive appointments, by appointment of persons, rejected by the senate, to other responsible officers, and even to the same office, and by withholding the nominations of the high and important officers of departments, notwithstanding the senate have been in session more than six months, we have good cause to apprehend that the constitutional government adopted by the states, and the laws made by the congress as a rule of conduct to the officers created by them, are not duly respected. The doctrines of the protest make the whole official corps the effective administration of the government subject to the control of the president, not the laws, and subject to his dictation. Even the custody of the public money is claimed, and in fact and in practice enforced by the president, as a part of his constitutional function. The power of the executive is to engulf every power of the government.

I declare in sincerity, that if the doctrines of the protest, and the acts of the chief executive magistrate intended to be justified by the protest, be submitted to and acquiesced in, we have not a government of laws, but a despotic monarchy, the government of one man, cloaked under the powers of a commonwealth. Need I remind you of the many instances in which candidates for the house of representatives have been proclaimed and supported by all the power and influence of the president's name, and the patronage of the administration? Have we not seen the same power and influence brought to bear in state elections, for the purpose of so forming the state legislatures as to support the chief magistrate, and elect senators of the United States to sustain his measures? Do we not see the office holders moving in phalanx? Do we not see conventions held by self created representatives, and committees organized under the control of office holders, to manage a national convention?

Fellow citizens, arise in the majesty of your power; be watchful; your liberties are insidiously assailed. The government established by our ancestors is about to be converted into an odious tyranny. The power and influence of the government is about to be made greater than the rights and influence of the people. The passport to office is the indiscriminate support of every act of the president: brawling partisans are rewarded from the public treasury; freedom of opinion is threatened with dismissal from office; and office holders, senators and representatives, are taught to expect promotion, according to their zealous support of the most questionable or the more odious acts of the administration. The executive influence is brought into contest with the freedom of elections, and with the freedom of inquiry in the halls of congress. The expenditures of the go-



vernment are increasing to enlarge the patronage of the government; and the patronage of the government so increased as to be exerted to sustain the president and the receivers of salaries, jobs and contracts. The people are to be governed by their own servants and money, by fraud and deceit. I see no remedy but by the people in their primary assemblies and at the polls. They must cause their interests and their sentiments to be respected; they must make known that the people are to be represented; that representatives are the trustees and agents of the people, and not the servants of the president.

I supported general Jackson's election from the earliest canvass until his first actual election. I supported him, supposing and believing him to be the representative of certain great principles, which lie at the foundation of civil liberty. I have been deceived. I stand upon my principles. Alas! men have changed, but principles do not.

Believe me, that, had it been practicable, consistently with my public duties here, I should have availed myself of the invitation so kindly and so feelingly addressed to me. Accept my thanks; and be assured that my heart will be with you on the great day appointed for your deliberations.

GEORGE M. BIBB.

To the committee of invitation to the meeting at Elkton, &c.

#### MR. CLAY'S ANSWER

To an invitation to partake of a public dinner at Lexington, Ashland, 31st July, 1834.

GENTLEMEN: I have received with lively sensibility your note of the 30th inst. tendering the welcome of a number of my fellow-citizens of Lexington, on the occasion of my returning among them, and inviting me to a public dinner at Messrs. Brennan & Postlethwait's hotel, on Saturday next. I request the acceptance by yourselves and my fellow-citizens of Lexington, of my profound acknowledgments for these manifestations of esteem and confidence. Associated as Lexington is with the most pleasing and grateful recollections in my mind, its continued kindness and attachment, so often and so long displayed, afford me inexpressible satisfaction. Under other circumstances it would be extremely gratifying to me to accept the compliment so obligingly proposed of a public dinner; but I hope the ill health of a member of my family, the extraordinary heat of the season, and the want of repose, which I feel to be so necessary, will be deemed by you to furnish a sufficient apology for declining it.

I am very happy, gentlemen, to learn from you that the course of the senate of the United States at its recent arduous session, commands your approbation. Nothing but an imperative sense of public duty could have induced the senate to assume an attitude of opposition to the executive, and of difference of opinion with the house of representatives, on leading public measures. The people are yet the common empire in cases of disagreement between their functionaries; and the senate awaits their decision with undoubting confidence. For myself, believing that the measures adopted, and the principles avowed by the executive, involved the safety and existence of free government, I should have regarded myself faithless to the people, and false to the whole tenor of my life, if I had not cheerfully and heartily concurred with the majority of the senate. I am gentlemen, with great respect, your friend and neighbor,

H. CLAY.

Messrs. B. W. Dudley, Robert Frazer, W. W. Whitney, Jacob Ashton, M. C. Johnson, A. K. Woolley, Leslie Combs, B. Gratz and James E. Davis, &c. &c.

#### ANSWER OF MR. TROUP.

Macon, July 29th, 1834.

GENTLEMEN: Accept my acknowledgments for your recollections of any services I may have formerly rendered—they are not without recompense when my fellow citizens of Macon so affectionately extend to me the hand of friendship; it is all I could ask and all I will receive. It may be my happiness to mingle with them again; whether I do or not the state rights party of Georgia have my best wishes for their success—engaged on the side of liberty against a vicious and corrupt government, they must evidently triumph. The enlightened young men of the country, whatever may become of the old and imbecile will live to achieve and enjoy it.

With great consideration and regard gentlemen, your fellow citizen,

G. M. TROUP.

Thomas R. Lamar, Iverson H. Jones, Charles Collins Lemuel Newcomb, Levi Eckley, committee.

#### ANSWER OF MR. RIVES

To a letter from Mr. Dallas, communicating certain proceedings had at Philadelphia—just now, for the first time, published.

Castle Hill, Va. March 20, 1834.

DEAR SIR: I have had the honor to receive your letter of the 10th March, communicating a resolution which was adopted (among others expressive of their sentiments and opinions), by my democratic fellow citizens of the city and county of Philadelphia, in their late imposing meeting of the 4th March, and by which they are pleased to express, in the most flattering and emphatic manner, their approbation of my conduct in the recent resignation of my seat in the senate of the United States.

So signal a compliment, emanating from so respected a source, and enhanced by the eloquent and flattering terms in

which your kindness and partiality have seen fit to communicate it, has penetrated me with sentiments which I find myself utterly at a loss to convey by any adequate expression of them. The democracy of Pennsylvania, of which the city and county of Philadelphia form so prominent a part, has ever been the faithful interpreter and vigilant guardian of the true doctrines of republicanism. In every period of our political trials, the republican cause has found in that democracy a generous, disinterested and strenuous support. It has been the pride of Virginia to have acted with your true-hearted and noble-minded commonwealth in all the great struggles of our past history; and there is no state with which we can have more motives of a just anxiety to cultivate, in future, the feelings and relations which belong to kindred principles and a high common cause. A cordial republican concert between Pennsylvania and Virginia, indeed, was, many years ago, pronounced by the great founder of the democratic faith to be one of the most efficient guarantees for the maintenance of the constitution, and the preservation of the union itself.

The relations which connect the two commonwealths being thus intimate and important, I have felt, with particular and profound sensibility, the flattering marks of approbation and regard, with which my fellow citizens of Pennsylvania have been pleased to honor my public course. The distinguished and emphatic testimony of which you, my dear sir, have been the organ, the peculiarly kind and generous terms in which you have seen fit to communicate it, have laid me under obligations which I feel my own incompetency suitably to express, and which I must leave to your just feelings to appreciate, and to your felicitous powers of language to interpret for me to my democratic fellow citizens of the city and county of Philadelphia.

I share all their patriotic anxiety, in regard to the present grave conjuncture of our public affairs. I see with you, my dear sir, that the vital principles and fundamental structure of our republican government, are put in peril by the new theories, bold pretensions, and illegitimate and eccentric influences, which have been arrayed to thwart and derange its regular action. The claim, now for the first time openly acted upon by a party in the public councils, of exemption from the control of the constituent power, after it has been once exerted in the choice of its agents, confounds and invests all the relations of the representative system, transforms servants into masters, and our free constitutional republic into a proud, usurping oligarchy.

The support of a great central moneyed power in the bosom of our institutions, exerting, in the worst form of consolidation, a quasi-governmental authority, independent of and irresponsible to the people, is equally at war with the fundamental principles of the republican system. And the modern heresy of nullification, (which you forcibly describe as mingling its fitful blasts with the steady current of consolidation), by arrogating to any single malcontent member of the union the absolute and sovereign right to control and overrule the will of all the rest of the states and the people which compose the republic, is but a varied form of that active and diffusive element of aristocracy which, with more or less of industry, is constantly at work to undermine the democratic foundations of American liberty.

To preserve our institutions from these multiplied dangers, and the combination of so many hostile principles, will require all the energy, vigilance and firmness of the people. In the resolution so nobly manifested by your patriotic commonwealth, to perform her part of this sacred duty, I feel a thorough conviction that the people of Virginia will second and sustain her; and that under their joint auspices now, as in past critical periods of our political history, the cause of republicanism will be again triumphant.

Praying you, my dear sir, again to be the interpreter of my grateful sentiments to my democratic fellow-citizens of the city and county of Philadelphia, for the distinguished mark of their approbation, which you have had the goodness to convey in terms so kind and flattering, I remain, with the highest respect and consideration, your friend, and obedient servant,

W. C. RIVES.

To the hon. G. M. Dallas, &c. &c.

#### ANSWER OF MR. McLEAN

To an invitation to dine at the Fountain Green hotel, with certain of the democratic citizens of the city and county of Philadelphia, on the 4th July last.

Richland, 29th June, 1834.

GENTLEMEN: I regret that my absence in the country delayed until yesterday the receipt of your favor of the 20th inst. inviting me to the "democratic festival to be given at Fountain Green, on the 4th of July next." It would afford me high gratification to unite with my fellow citizens of the city of Philadelphia and its vicinity, in the object of the festival, which you informed me, are "to bring together those democrats, who have been for some time divided in their choice of men, in union and harmony, to resuscitate the doctrines of Thomas Jefferson, to proclaim an aversion to man-worship, and to establish principles as the only safe standard, &c." Our own reflections and the examples of history should convince us that no free government can long be sustained, where men are substituted for principles. If we are not incapable of receiving instruction from example, we must profit by the republics of past ages, which, have been overthrown by an abandonment of principle and a blind adherence to men. We are all such selfish beings, and

either through infirmity or depravity are always liable to err. A principle which may be denounced to day, may shortly become the test of political orthodoxy, and thus all the great movements of the government may depend upon the whim or caprice of an individual, who himself may be the miserable instrument of political jugglers. This is the government of an absolute monarchy, by whatever name it may be called.

It is a just and profound observation of Machiavel, "that the real powers of government are sometimes contracted to a narrower point in republics than in monarchies." He who has not seen this tendency in republican governments has profited little by the lights of history or experience.

In the days of Jefferson, Madison and Monroe, who ever heard of Jefferson men, Madison men or Monroe men? Parties were then known by the principles which they advocated, and they formed the rule by which men were judged. And if we wish to preserve our government, we must get back again to the standard of principles which were then professed and maintained.

Let a party be organized with an exclusive reference to any individual, and let that individual be placed at the head of the government, he must of necessity be supported in all his measures. If he shall be supported by his party, only when he is right, the party must soon be broken in pieces; for his name being the only rallying point, whenever the party shall fail to justify and sustain all his acts, it loses its appropriate designation and must dissolve. It is therefore as necessary to support the chief of a party, thus organized, when he is wrong as when he is right.

But this is not the case where a party is organized in reference to principles which are vital to a free government. On these the standard is planted, and by these are all the members of the party, from the highest to the lowest, judged. A party with such a basis, and with intelligence, virtue and patriotism to direct it, must always be impregnable. I speak of no sectional party, but of one devoted to the great principles of republican government, and which views men, however exalted by their talents and public services, as agents to act for the welfare of the whole union. I have the honor to be, with great respect, your obt' serv't.

JOHN McLEAN.

Be pleased to present to the company the following sentiment:

*A. McCaraher, J. M. Barclay, Thomas J. Smith, Wm. F. Van Antwerp, John D. Goodwin, Jacob Frick and W. H. Hoops, esq. committee.*

The state of Pennsylvania—the balance wheel of the union—other states may speak of having given chief magistrates to the country, but Pennsylvania may claim a higher honor in the great moral power which she has exercised over the confederacy.

#### REPLY OF MR. McLANE

To an invitation to partake of a public dinner given to Mr. Taney, at Baltimore.

*Baltimore, July 23d, 1834.*

GENTLEMEN: I received last night, your note respecting my company at a dinner to be given to Roger B. Taney, esq. at the Columbian Gardens, on Thursday next, at 4 o'clock, on the occasion of his return to this city.

I greatly appreciate the honor done me by the committee, but it will be out of my power, on the present occasion, to accept their invitation.

I am, gentlemen, with sentiments of great regard, your obedient servant.

LOUIS McLANE.

[Mr. McL. left Baltimore on the 26th, for Delaware.] We have heard the preceding called a "cold cut, before dinner."

#### ANSWER OF MR. CLAYTON.

At the great whig meeting on the 4th July, near Wilmington, Delaware, Mr. John M. Clayton, United States senator from that state, was invited to attend—to which he returned the following answer—

*Dover, July 3, 1834.*

GENTLEMEN: Your invitation to attend the whig celebration of the 4th of July at Quincey wood, near Wilmington, is this moment received, and would be promptly and gladly accepted, but for numerous engagements pressing upon me after so long an absence. These must plead my apology for not complying with your request.

Since my departure from here eight months ago, there has been in our own state and throughout the union a new organization of parties. By a great and powerful body of our countrymen, old party distinctions have been buried. A new name, glorious in all its associations, has been revived and adopted, not only by old political friends, but by many others who are now equally ready to strike with us for the constitution and the laws. Among those who have been thus roused to action by the intolerable usurpations of the executive, there are I find in every county of the state men who were formerly the pride and stay of the party opposed to us, but whose generous love of liberty and spirited resistance to the encroachments of power, have induced them to come to the rescue at the moment of our country's greatest peril, when our former friends were fainting under a pressure which, unaided, we were in fact my fellow citizens, unable to sustain. To these men we owe a debt of gratitude never to be forgotten. Among them I behold with feelings of inexpressible satisfaction a Bayard, a Ridgely and a Robinson, besides many others of the most prominent and gift-

ed of those whose efforts helped to raise our present chief magistrate to office. With such men to aid in the support of such principles as we contend for, we cannot fail to triumph; and when we do, let no one set it down as a triumph of aught but what of all things on earth are most dear to us—our constitution and laws. It will be no victory of mere bank men or anti-bank men, no battle gained by party men known to any one former political designation in this country. Should our friends triumph throughout the union, it will be a victory of the friends of civil liberty, gained by the force of reason and the love of country, forming a bright and memorable era in all time while the history of American freedom shall endure on earth.

Let us then go to the great work cheerfully. While about it, the shafts of calumny will fall thick and fast around us, but the heart of a patriot will rise under the blow which is unjustly levelled at his reputation, and his succeeding efforts, like the ceaseless billows of the ocean, will pour upon those who would degrade him, to paralyze his exertions, a tide of indignation which they can neither hope to resist nor escape from.

I offer this sentiment to the whigs of New Castle county—

*Our native s'te—the land of the old blues of the revolution—* May its every field be desolate and its every stream be red with the blood of its own children, before they desert the principles of the revolution, and bow in slavery at the footstool of a tyrant.

I am, gentlemen, with great respect, your obedient servant,  
JOHN M. CLAYTON.  
To Messrs. John Wales, Jonathan Bonney, William P. Brobson, R. Clement.

#### COUNTY MUSEUMS.

The treasures of wealth and of science have alike been enriched, within a few years past, by measures to explore and unfold the natural resources of our country. The mineral kingdom, especially, has been found to contain vast riches, before unknown, which, being developed, have been applied for the equal benefit of the farmer, the mechanic, the manufacturer and the lover of science.

A geological excursion of professor Silliman, with several of his pupils, a few years since, in the vicinity of New Haven, led to the discovery that the common stone walls which had been standing a hundred and fifty years, as the enclosures of farms, were principally composed of the verd antique marble, commonly considered the most beautiful marble known upon our globe. At this place commences a range of this useful material for architecture and for various works of ornament and taste, which continues for many miles, and in exhaustless abundance.

From Hallowell, Maine, granite of the most valuable and beautiful kind, is carried to nearly all our seaports, from New Orleans to East Port—where it is used in great quantities, for the building of houses, wharves and various other purposes. But a few years ago, stone of an inferior quality was brought from a distance for buildings within a few rods of these inexhaustible quarries, which now disperse their riches to other cities and other states.

Copperas, which is used in vast quantities in this country, especially for the purpose of dyeing, was, until recently, procured entirely from foreign countries. The researches of geologists have discovered that copperas ore, the sulphuret of iron, exists in many parts of our country in sufficient quantities to furnish the world with this necessary material in the arts, at a far less price than it is supplied from abroad. In Strafford, Vt. copperas is made, in a great measure, by a spontaneous process, from the ore in that place, in sufficient quantities to supply all demands, and at such a price as to put an entire stop to importations of that article.

Formerly chrome yellow sold at sixteen dollars a pound. The chromate of iron, found in great abundance in the vicinity of Baltimore, together with the increased skill of changing it into the chromate of lead, or chrome yellow, has reduced this beautiful and useful paint to fifty cents a pound. The ore and the skill of working it, have been brought out, in part at least, by the researches of mineralogists and other amateurs of science.

Epsom salts, but a few years since, were furnished to this country entirely by importations from abroad. They are now made in Baltimore, from magnesite, a mineral found in great abundance in the vicinity of that city, of a better quality and at a cheaper rate, than they were, or can be from foreign countries.

The mines of Mexico and South America, until recently, furnished our mint and the arts with the principal part of their gold. The researches of professor Olmsted, of Yale college, formerly of Chapel Hill, in North Carolina, into the mineral treasures of that state, and those of other geologists in different parts of the country, have discovered, that gold mines are extensive and abundant in Georgia, the Carolinas, Virginia and some other states.

These examples, though few among thousands which might be adduced, are sufficient to show the intimate connexion between science and art, and that the one must necessarily be the handmaid to the other; that the treasures of knowledge and of wealth are alike dependent upon the great store house of nature for their riches—and that the prosperity of individuals and of nations is in proportion to the industry, the skill and the general intelligence, which is applied in unfolding and appropriating those gifts of nature which a wise and bountiful creator has scattered around us in rich profusion and variety.

Although much has already been done, much more remains to be done, towards bringing into full requisition, the elements of wealth and the materials and the stimulus of industry, existing in our mines and our forests. Doors are opened to them, but comparatively few of their apartments have yet been entered, much less explored. Though I would not presume, even, to give a hint at the various means and modes of enriching more largely the treasures of science and of wealth from the resources of nature, I will beg leave to mention one measure, by which aid may be rendered to this important object. This measure is the forming of museums, or cabinets of nature and of art, in all the county towns throughout our union. In many, such collections are already formed. The facilities are great and the means abundant, for furnishing to each of the eleven hundred counties in our union, a place of social, intellectual and useful resort, for all their citizens disposed to participate in the enjoyment.

To make a BEGINNING in an enterprise, which might eventually afford entertainment, instruction and profit to every citizen of our republic, a proposal has been made for *simultaneous action* on the subject, by means of EDUCATION CONVENTIONS in all the counties in the states, on the first Wednesday of November next. In aid of the proposed step, many facilities can be rendered, but one of which I have time to mention. This is contained in a resolution recently passed by the "BALTIMORE UNION LYCEUM," that they would prepare as soon as practicable, sets of specimens of minerals, plants, penmanship, map-drawing and needlework, for the use of any county lyceum in the union which might apply for the same; and that they invite the school and other juvenile lyceums connected with the society, to render their aid in accomplishing the object of the resolution. These facts and hints are from A FARMER.

#### LOCUSTS.

*From the Methodist Protestant.*

Messrs. Editors—I have been at some pains to bring correct information relative to that description of locust which favors us with a visit every seventeen years.\* When the insect made its appearance in 1817, I determined to gain some acquaintance with its habits. Accordingly I commenced by examining the holes out of which several had emerged. These were at different distances, from an inch to a foot apart, perfectly round, and sufficiently large to receive the end of the small finger. They averaged in depth ten inches and the bottom perfectly solid. To ascertain certainly that the insect had not been deeper down in the earth, I threw off the upper surface until the bottoms of the holes were completely exposed, and several of them on a level with the new made surface; on this I threw water, in order to see if the earth that formed the bottoms of the holes would absorb the water more readily than the adjacent ground; but it did not, which was a conclusive proof that the locust had not been below that point.

I next examined the insect while disengaging itself from the exuvia or outer covering. I had the good fortune to witness this operation in several instances. When the locust had emerged from the ground, and crept up a few feet on the body of a tree, a stump, or on a fence, it would lay firm hold of the rough bark, or of the wood, with its claws, and then make efforts to disengage itself from the outer covering, which appeared to fit its body and limbs as accurately as a person's skin. The first efforts split the covering on the upper part of his back and shoulders. The insect then thrust out his head and the upper part of his body, and in a few minutes entirely extricated himself, apparently much exhausted by his exertions. In ten or fifteen minutes, however, he appeared to be fully recruited; and his wings, which at first were folded close and damp, were now expanded, dry, and in trim for flying. Some few, however, died in their struggles to get clear of their outer coat, and remained half buried in the cradle that had protected them from injury so many years. When the locust first bursts his envelope he is of a light cream color, but the air soon changes him to a brown.

The next operation to which my attention was directed was the manner of boring the twigs of the trees, and the disposition of the ova or eggs, from which the next generation of locusts were to spring. The boring operation is performed by the female, who is provided with an instrument for the purpose of perforating, in a longitudinal direction, the tender branches of trees; this is firmly fixed to the thorax or lower part of the breast, and extending along the abdomen to the extremity of the body; it is needle shaped, and about the size of a fine darning needle. With this the twig is pierced in the direction of the grain, until the fibres of the wood are shivered into fine threads, so as to furnish a soft and secure place for the ova. This accomplished, the eggs are deposited side by side, with the utmost neatness and uniformity, in two rows, or from ten

to fifteen in a side, each rank separate from the other by a portion of wood fibre. When viewed by a microscope they have a very beautiful appearance, resembling a row of small silver fishes, so disposed as to lay side by side with all their heads pointing upwards, as if looking into your face when you look down upon them. They are all milk white when first deposited, about the tenth part of an inch in length, and of the thickness of a horse hair. On some twigs I have counted fifty nests, extending along in right lines, frequently ten in a line, all evidently made by the same insect. After the work of depositing the eggs is fully completed, the parent locust dies. I have seen them fall and fall in attempting to fly from one tree to another, and in a few minutes die, apparently from exhaustion. This happens to both male and female.

After all my attention to this matter in 1817, I missed one highly interesting part of the subject, which was, the emerging of the young locusts from their place of deposit. This, however, I have now (July, 1834), most satisfactorily witnessed. About the middle of May, the locusts made their appearance, and disappeared in the latter part of June. On the eighteenth of July I examined several nests and found the sacks unbroken but they had changed from the milky white to a cream color, and the eyes were distinctly visible. To-day, (July 29) I examined a twig taken from a peach tree, having in it several nests. The first nest I opened contained nothing except the exuvia or outer skins of the insect that had escaped. These had the appearance of very minute purses, split the third part of the way down, were a beautiful white, and very transparent. The second nest was then placed under the microscope, and I had the satisfaction to see signs of life among the inmates. I then shook them out on a piece of white paper, and applied a magnifying glass. They were very little larger than when deposited. The sack in which they were enveloped had undergone no apparent change, and although they had a rolling motion, there was no appearance of feet or limbs. I afterward found that the antennae and legs, of which they have six, were laid close along by the breast and abdomen, within the sack. Upon keeping my eye steadily fixed on those that moved, I observed one thrust his head and the upper part of his body through the transparent sack that covered him, and laying hold of the paper with his fore claws, disengaged himself at once from the remains of his covering, and ran out upon the paper. Three others in a few minutes performed the same operation, and I had at once under my eye four young locusts. This was very pleasant.

I had now an opportunity to examine at my leisure, their form, color and actions. They are in all respects a complete miniature locust, except the wings, of which there is no appearance; the body also is much longer in proportion than the full grown locust. The two fore legs are armed with double claws, and appeared to possess great muscular power in proportion to the bulk of the insect; with these, they no doubt dig into the earth, to their resting places, and by their help they return again at the proper season. They are of a light cream color, except the eyes and claws of the fore legs, which are dark. Their movements are quick, nearly as rapid as those of a small ant, and they evidently appeared to be in search of the earth; for, to prevent them from getting away from me, I was obliged to put them into a small polished concave glass; and when I put them out upon a saucer of earth they instantly dug into it and buried out of sight.

In order to ascertain their future changes, and growth, I have procured several twigs having nests, and laid them on the surface of a box filled with earth, and planted with flowers, to secure its being duly moistened. Next year, if I live, I shall examine some of the young locusts and report to you their appearance and condition.

A very large proportion of the young locusts that penetrate the earth, never again reach its surface; but are doubtless destroyed by ants, and other insects that have their residence under ground. I infer this from two facts. First, the immense number deposited in the twigs of a tree; and secondly, the small number of grown locusts that actually rise beneath the same tree at the period of return. I have counted in a single twig upwards of fifty nests, each containing more than twenty eggs; this will give one thousand insects to a single twig. We may presume that an ordinary sized tree contains at least a hundred perforated twigs, averaging fifty nests each, which would give 100,000 insects. Now the number of holes actually found under a single tree, at the period of return, does not exceed a few hundred, perhaps never reaches a thousand. So that multitudes of the young locusts must perish or be destroyed by insects in the earth. Yours,

AMICUS.

Baltimore, July 29, 1834.

#### SPAIN AND THE NEW AMERICAN STATES.

The London Morning Herald of July 2, contains the following article, from its correspondent at Madrid:

Madrid, June 18. Being of opinion that the recognition of the South American states and the amelioration of the Spanish commercial policy were questions of paramount importance, and much more valuable to Great Britain than those other points to which our attention has been so exclusively directed, I have watched since I came here the steps of the present ministry on the subject, and I have now succeeded in obtaining two remarkable documents, translations of which I immediately subjoin, through the medium of a useful agent, who occasionally supplies me with papers from the public offices. The first is the copy of a note, addressed on the 12th February, 1834, by the

\*A respectable old gentleman, who has seen and observed the locust at the different periods of their appearance, as noted below, has favored the editor of the Register with the following memoranda.

#### THE LOCUST APPEARED.

In 1749, in the month of May. In 1766, they came out of the ground from the 14th to the 17th of May. In 1783, they came out from the 16th to the 19th May. In 1800, from the 19th to the 26th of May. In 1817, they did not appear until the beginning of June. It is supposed the cold and wet weather retarded their progress. [Niles' Register for July, 1817.]

minister of the United States to the foreign office, and the second is the reply of M. Martinez de la Rosa, dated the 12th of this month. From the one you will learn how wisely the American government has been pursuing an object so essential to its commerce, and how favorably it must appear before the South American states, as the power to whose exertions they are indebted for the first symptoms of reviving affection on the part of the mother country; and from the other you will infer that the willingness to treat with the South American commissioners is only a prelude to the grand act of a recognition, which must take place as soon as the terms are arranged. The American minister's note is as follows:

"*Legation of the U. S. of America, Madrid, Feb. 12, 1834.*

"In pursuance of instructions from the president of the United States, I had the honor, on the 6th of May, 1831, to address a note to his excellency Don Manuel Gonzalez Salmon, then his majesty's principal secretary of state, stating that the anxiety which the government of the United States had long felt, and which theretofore had been fully made known to his majesty's government, that an amicable and satisfactory settlement between Spain and her former colonies, the new American states, should take place, had arisen as well from a regard to the principles of humanity and the interests of the parties concerned, especially that of Spain, as from the expectations of benefit to the United States.

"I added that the government of the United States, without intending or wishing to depart from its settled policy of not interfering with the affairs of other nations, except by friendly advice in cases in which it might be thought suitable, felt itself authorized by the friendly relations existing between the United States and Spain, and by the circumstances of the case, to make another appeal to his majesty on a question of so great and so general an interest, and that in doing so it indulged a strong hope that his majesty would not any longer refuse to open a negotiation with the new states, but that, on a full and deliberate review of the matter, he would be convinced that, independently of the satisfaction which such an event would afford to most if not to all the nations with which Spain had friendly intercourse, a recognition by his majesty of the independence of those states, upon just and proper terms, would contribute both to the honor and interest of Spain. And I concluded by suggesting some consideration in relation to the remaining possessions of Spain in America, which I hoped would not have been disregarded.

"To the note in question Mr. Salmon favored me with an answer, under date of the 11th June of the same year, by which I was informed that the king received my communication as a proof of the strong interest felt by my government in favor of his majesty, and that as the question was fully present to his royal mind he would take it into consideration when the case might be favorable, in such manner as might be most conformable to the interest of his crown, and that then the friendly communication made by me would not be forgotten.

"The president of the United States, having deemed the accession of Donna Isabel the second to the throne of Spain, under the regency of her august mother, a favorable occasion for the renewal of his efforts, has directed me to lose no time in addressing her majesty's government on the subject.

"Without entering anew upon the field of argument which presents itself, it is conceived by the president that all the considerations which have heretofore existed, and been pressed upon the government of Spain, in favor of a conclusion of this matter upon the basis of the recognition by Spain of the independence of the states above mentioned, by not only continue to exist, but have been greatly strengthened by time and circumstance, and he cannot but persuade himself that the case will be received in its true light by the liberal and enlightened government of Donna Isabel the second; and that one of the first great acts from which it may be destined to derive lasting distinction and applause will be a prompt and just arrangement of the American question.

"It only remains for me to add that the government of the United States is ready and desirous, as it has ever been, to do all in its power for the mutual conciliation of the parties concerned, and to facilitate the final conclusion of their disputes upon terms alike honorable and advantageous to all sides. I have the honor, &c. (Signed) J. P. VAN NESS."

The following is the translation of the reply of M. Martinez de la Rosa:

"*At the palace, June 12.*

"The multiplicity of business which the department of state has been charged with since her majesty the queen regent was pleased to intrust me with that office, has prevented my giving an earlier reply to the several applications which your excellency, in pursuance of instructions from your government, has made to me respecting the importance and expediency, to use your excellency's own words, of a prompt and just arrangement of the American question.

"Her majesty in her wisdom cannot but be aware of the advantages of being relieved from an uncertain position, and of adopting a definitive decision in regard to the vast territories alluded to; and for my part, if my humble opinion be considered of any weight in determining the measures of her majesty, I can assure your excellency that as soon as the late king Don Ferdinand did me the honor to appoint me to this department, ten years ago, I called the attention of the government to this interesting question, from the persuasion I was under of the injury and loss which would accrue from any delay in the settle-

ment of it, and because it appeared to me quite practicable, at least such then was my opinion, as it is now, to consolidate the interests of our brethren in South America with the interests of the peninsula, by the adoption of a basis reciprocally great and advantageous.

"For the accomplishment of this object his majesty's government dispatched, at that period, several commissioners, who were furnished with the necessary instructions, and were directed to announce a cessation of hostilities, and to propose, as a preliminary step towards the removal of the political difficulties, the re-establishment of the commercial relations of the two countries. The great events which soon after occurred, and which are too well known to require being recorded, prevented the fulfillment of the wish, as then entertained by the Spanish government, and this great and interesting question has remained in a state of suspense from that time to the present.

"The decision of it, however, is desired by the queen regent, who in the government of this monarchy is guided by principles of a liberal and enlightened policy, and her majesty has accordingly authorized me to communicate to the diplomatic agents of Spain in foreign courts, especially those in Paris and London, the necessary instructions, to the end that if any commissioners present themselves with powers and instructions of a nature to offer to Spain a just and honorable arrangement, they may afford such commissioners all the facilities and guarantees they may desire, with the assurance that they will find her majesty animated by the most favorable dispositions.

"Her majesty has, at the same time, authorized me to make to your excellency this frank declaration, in order that you may communicate the same to your government, in return for the wishes expressed by it of an early conclusion of this interesting question; and, as her majesty feels confident, after consulting her personal feelings without disregarding the suggestions of a sound policy, that nothing would be more easy than to effect a reconciliation of parties who, in all respects, may consider themselves as children of the same family, when once they shall have consented to an interview. Her majesty entertains the hope that as soon as negotiations may be entered upon in a spirit of sincerity and good faith, the object in question, which, as is expressed with much precision in your excellency's note, is 'a mutual reconciliation and final conclusion of the differences of the parties, advantageous and honorable to all,' will be completely realized. Renewing to your excellency the assurance, &c. (Signed) F. MARTINEZ DE LA ROSA."

These notes must produce a general satisfaction among those who are interested in the South American states; and I am entitled to assure them from the verbal communications which have taken place in the foreign office, as well as from the written document, that no impediment now remains as to the recognition; and the Spanish government is neither more nor less seeking but to make the best bargain with her revolted children, and get the best price she can for the admission of their independence. The conditions, with regard to the commissioners sent from South America, are to be taken as so many words which mean nothing; and it is intended that no difficulties shall be put in the way of coming to a proper understanding.

#### LIABILITY OF PARTNERS—AND USURY.

Before the superior court of New York, Feb. 13, 1834, chief justice Jones, presiding.

*Bullock vs. Manice, Phelps & Co.*

An action was brought by Moulton Bullock vs. D. F. Manice, Benj. F. Phelps and E. D. Foote, for the recovery of a note of \$10,000. The defendants were a dry goods importing company in Pearl street. The defence was that Mr. Phelps, one of the partners, had borrowed from plaintiff the sum mentioned in the note, without the knowledge of his co-partners, and that it was applied to the sole use of himself and brothers; and secondly, that plaintiff had taken unlawful interest, the sum of between two and three thousand dollars of this note being an usurious charge.

Mr. Manice, the eldest partner, had been several months in Europe, and during his absence Mr. Phelps had borrowed from plaintiff, at fourteen different periods, the sum of about \$40,000. He had also borrowed notes of other merchants amounting to near \$20,000. Only three of the transactions appeared on the books of the firm.

The chief justice charged the jury that the note for \$10,000 made to Mr. Bullock in the name of the firm, was good against the firm, and was recoverable by Mr. Bullock, unless the jury were satisfied from the testimony that the latter, at the time of making the loan, knew that Mr. Phelps was borrowing the money on his own responsibility, and for purposes distinct from the firm. As it regarded the other count, on which the defence also rested, viz: that of usury, the court was of opinion that it had been sustained by the evidence. In this case the law was explicit, and that the validity of the transaction was destroyed.

The jury were out nine hours, and rendered a sealed paper, which was to have been opened this morning, but we learn that the plaintiff submitted to a nonsuit.

Counsel for plaintiff, Staples and Gerard; for defence, Griffin and Duer.

#### COMPARATIVE HEAT.

*From the Philadelphia Herald.*

From the valuable table kept by Mr. McAllister, optician, we have ascertained the following facts in relation to the heat in

this city for the last ten years, during the months of June, July and August. It may hereafter serve as a good table of reference.

The same thermometer, placed in the same situation, and in the shade, has been used during the whole period of time.

The day selected in each month has been that on which the thermometer stood highest at noon, at which hour the record was made.

1824.	June 7th.....97	1831.	June 3d.....96½
	July 2d.....95½		July 23d.....96½
	August 9th.....90		August 17th.....93½
	June 31st.....100		June 25 and 26, each.....93
1825.	July 23d.....100	1832.	July 25th.....93
	August 15th.....94½		August 7th.....93½
	June 3d.....94		August 15th.....90
1836.	July 13th.....92½	1833.	July 22d.....94
	August 2d.....90½		August 15th.....89
	June 20th.....90		July 7th.....91½
1827.	July 3d.....96½		July 10th.....96
	August 6th.....99		July 8th.....93
	July 23th.....96½		July 9th.....92½
1828.	July 24 and 25, each.....95½	1834.	July 16th.....93
	August 1st.....96		July 24th.....99
	July 20th.....92½		July 25th.....97½
1829.	July 23d.....96½		August 5th.....95½
	August 14th.....92½		
	June 16th.....93		
1830.	July 27th.....97		
	August 16th.....94		

Average heat of each month for ten years.

Years.	June.	July.	August.
1824	81.3	86.2	79.8
1825	84.6	88.7	81.7
1826	82.5	85.4	82.7
1827	80.2	86.3	84.5
1828	87.0	87.1	85.8
1829	80.1	84.1	83.3
1830	80.3	87.9	83.0
1831	83.6	86.9	85.4
1832	80.3	84.9	82.7
1833	77.0	83.7	81.1
1834	81.4	89.5	

On Tuesday, the 8th of July, between one and two o'clock, the thermometer rose to 100½. On Tuesday, August 5, at half past one o'clock, it stood 100½ degrees, being the warmest day this season.

ELECTION OF PRESIDENT AND VICE PRESIDENT.

In the senate of the United States June 11.

On motion of Mr. Bibb, the senate proceeded to consider the joint resolution reported by the select committee, on the subject of an amendment of the constitution, in reference to the election of president and vice president.

The resolution having been read as follows:

Resolution proposing an amendment to the constitution of the United States, as it respects the election of president and vice president of the United States.

Resolved, &c. That the following amendments to the constitution of the United States be proposed to the legislatures of the several states; which, when ratified by the legislatures of three-fourths of the states, shall be valid to all intents and purposes as part of the constitution:

That, hereafter, the president and vice president of the United States shall be chosen by the people of the respective states in the manner following: Each state shall be divided, by the legislature thereof, into districts equal in number to the whole number of senators and representatives to which such state may be entitled in the congress of the United States; the said districts to be composed of contiguous territory, and to contain, as nearly as may be, an equal number of persons entitled to be represented under the constitution, and to be laid off, for the first time, immediately after the ratification of this amendment; and, afterwards, at the session of the legislature next ensuing the apportionment of representatives by the congress of the United States. That, on the first Thursday, and succeeding Friday and Saturday, in the month of August of the year one thousand eight hundred and thirty six, and on the same days in every fourth year thereafter, the citizens of each state who possess the qualifications requisite for electors of the most numerous branch of the state legislature, shall meet within their respective districts, and vote for a president and vice president of the United States; one of whom, at least, shall not be an inhabitant of the same state with themselves; and the person receiving the greatest number of votes for president, and the one receiving the greatest number of votes for vice president, in each district, shall be holden to have received the electoral vote of that district; which fact shall be immediately certified to the governor of the state, to each of the senators in congress from such state, and to the president of the senate. The right of fixing the places in the districts at which the elections shall be held, the manner of holding them, of canvassing the votes, of deciding in case of equality of votes in the district, and certifying the returns, is reserved exclusively to the legislatures of the states. The congress of the United States shall be in session on the second Monday in October in the year one thousand eight hundred and thirty-six, and on the same day in every fourth year thereafter; and the president of the senate, in the

presence of the senate and house of representatives, shall, as soon as convenient and practicable, proceed to open all the certificates and returns, and the electoral votes of the districts shall be thereupon counted. The person having the greatest number of votes of the electoral districts, for president, shall be president; if such number be a majority of the whole number of districts; but if no person have such majority, then a second election shall be held on the first Thursday and succeeding Friday and Saturday in the month of December then next ensuing, which shall be confined to the persons having received the two highest numbers for the office of president at the preceding trial; which second election shall be conducted, the result certified and the votes counted, in the same manner as in the first; and the person having the greatest number of votes for president shall be the president. But if two or more persons shall have received the greatest and equal number of votes at the second election, the house of representatives shall choose one of them for president, as is now prescribed by the constitution. The person having the greatest number of votes for vice president at the first election, shall be vice president, if such number be a majority of the whole number of votes given; and if no person have such majority, and if a vice president shall not have been elected, then a second election shall take place between, and to be confined to, the persons having the two highest numbers, on the same days that the second election is held for the president, and the person having the highest number of votes for vice president shall be the vice president; but if two or more persons shall have received the greatest and an equal number of votes in the second election, then the senate shall choose one of them for vice president, as is now provided in the constitution. But when a second election by the people shall not be necessary for the office of president, and a vice president shall not have been elected by a majority of the districts, then the senate shall choose a vice president from the persons having the two highest numbers in the first election, as is now prescribed in the constitution.

Mr. Bibb briefly stated the character of the propositions contained in the resolutions, which provide for doing away with the machinery of electors, and with the action of the house of representatives.

Mr. Benton made some further explanations.

Mr. Leigh adverted to the difficulties which existed in the convention on this subject. It was still a most difficult question to be settled, and he was desirous that it should not now be taken up, as it must necessarily involve much discussion. There is not a state which does not think that it has a citizen fit to fill the office of president; and the effect of this amendment would be to produce as many candidates as states, and then the two largest states would give the highest votes, and the president must be selected from them: He feared, also, that these resolutions would take the management of the presidential elections out of the hands of the large politicians, and put it into the hands of small politicians. If there must be management, he would rather confide it to the large politicians than to the small ones, because it would be better for the people. He wished that, on this subject, mind should compare with mind, and that time would be allowed for ample and deliberate examination. He would, therefore, move to lay the resolutions on the table for the present session, in the hope that they might be taken up at a more convenient time for consideration. He indicated his sentiments to be rather unfavorable to the resolutions, as the convention had instituted the electoral college for the purpose of preventing too great an accumulation of candidates.

Mr. Bibb said that he would not object to lay the resolutions on the table for a few days. He thought that public opinion had determined the machinery of electors to be cumbersome and unnecessary. With the same general views of the necessity of placing the election of president and vice president on a more secure foundation, the gentleman from Virginia and he had come to very different conclusions. He was of opinion that the election is at present controlled by the petty meddling politicians of the country, and it was his object to take it out of such hands. He reminded the gentleman that the resolutions provided that each state must present one candidate not one of her citizens. He had proposed these resolutions at the commencement of the session, and had endeavored to get them brought forward. He was willing now to leave them in the hands of the senate, having performed his duty.

Mr. Benton said he should not object to let the resolutions lie for a few days; but as the resolutions now proposed were an amendment to the original propositions, some progress could be made if the question were now taken on the amendment. He suggested that, if the propositions were sent to the people, the gentleman from Virginia would have to vote upon them as one of the people of that state, and his weight of opinion would be felt in the state; and he, therefore, would wish that the resolutions be sent out to the people, who are prepared to adopt the amendment. He had found this the most difficult of all the questions he had to meddle with since he became a public man. It had been found heretofore impossible to get a vote upon it. These resolutions were No. 1 and 2 on the docket of this session, and, if not now acted on, it would be rendered nugatory, not only for this session but this cycle of presidential elections.

He then noticed the objections to the present system, and expressed his conviction that the mode now suggested would do away with canvasses and conventions, and substitute the direct voice of the people. The introduction of the district sys-

tem would, in his opinion, break the force of the great states in the elections.

Mr. Leigh withdrew any objection, so far as the vote on the amendment was concerned. He had not prepared himself to discuss the subject. If the United States were to be divided into districts, there would be 300 nominating districts, and if 30 or 40 candidates were presented, each could have but very few votes. In discussing a subject to which the mind of the voter has accustomed itself to a particular view, it is too apt to overlook objections; and hence the necessity of conferring with other minds.

Mr. Tyler expressed his hope that the resolutions would be now laid on the table. He preferred the original resolution of the gentleman from Kentucky to the amendment of the committee. He did not wish to preserve the electoral body; but he desired to preserve the federative principle in the constitution, by leaving it to the states to determine whether they would vote by districts or by a general ticket. These features were preserved by the original amendment of the gentleman from Kentucky; but the amendment obliterated all state boundaries, and dictated a course of action as if we were a nation, and not a compact of states. He therefore viewed the question as of very great importance. He asked why Georgia, New Jersey and other states, were to be permitted to retain the general ticket system in their elections to the national legislature, while this system was to be changed in reference to the elections of president and vice president.

He moved to lay the resolutions on the table, and the motion was agreed to.

#### STEAM STAGE COACHES.

We learn from the New York Mercantile Advertiser that the steam carriage of col. Macerone, to run on the common roads in England, has been successfully tried in the vicinity of London. It travels five miles in 15 minutes, surmounting with ease considerable acclivities, and leaving in the distance all vehicles on the road. It can be immediately stopped and turned to a hair's breadth. A trial of another steam carriage for common roads built by Messrs. Sharp, Roberts & Co. has been made at Manchester. With 50 passengers it travelled six miles in 20 minutes. Another steam carriage built by Mr. Russell has commenced running between Glasgow and Paisley. It differs in its construction from the above mentioned, and performs well.

In connexion with the above facts we give the following sketch of some remarks made recently in the British house of commons:

Sir W. Molesworth presented a petition for an alteration in the tolls upon steam carriages plying upon common roads. The honorable baronet stated that the petition was from Mr. Goldsworthy Gurney, a gentleman well known to the scientific world, and the first person who succeeded in effecting locomotion on common roads. With excessive patience and perseverance he had overcome the various mechanical difficulties which had been previously considered by all scientific men, except Dr. Wallaston, as absolutely insurmountable. This gentleman complained that the legislature had thought fit to insert in the various road bills, clauses laying tolls amounting to prohibition on steam carriages; the consequence had been, that the public had been deprived of the best and cheapest means of locomotion, and that the petitioner himself had sacrificed his time, profession and fortune, without obtaining the just reward of his important discoveries. The causes which led to these prohibitory enactments, are these: The first long journey performed by Mr. Gurney's carriage was from London to Bath and back. In 1831, the carriage ran between Gloucester and Cheltenham for four months, during which period they carried three thousand persons, and ran four thousand miles; the average rate of speed was ten miles an hour: the fare—with a profit to the proprietor—was one half the fare of ordinary stage-coaches; there occurred no accidents or delays from failure of machinery. The agricultural interest became alarmed at his success, and reasoned in the following lucid manner: Steam carriages, it was said, would soon supersede carriages drawn by horses; horse labour would be discontinued; and consequently there would be a proportionate diminution in the demand for oats; farmers would be ruined, rents would fall. To avert these anticipated evils, Mr. Gurney's carriage was violently stopped by the trustees of the Cheltenham road, and a vast number of road bills were hurried through both houses, imposing tolls upon steam carriages of from ten to twelve times the amount levied on four horse coaches. Mr. Gurney petitioned the commons, and a committee was appointed to investigate the subject, who heard the evidence given on the subject by the first statistical and engineering authorities. In consequence of the report of that committee, a bill was brought in to alter the tolls, which bill received the sanction of the house but was rejected by the wisdom of the upper house. It had been objected to steam carriage locomotion on common roads, that the weight of the engine and manner in which the wheels produce locomotion would destroy the roads, and that the smoke and noise of the engine would be a public nuisance. An extract he would read from the report of the committee would show that such a description of locomotion was not only perfectly feasible and worthy of adoption, but that all the objections then made were groundless. The report says—

"Sufficient evidence has been adduced to convince your committee—1. That carriages can be propelled by steam on

common roads at an average rate of ten miles an hour—2. That at this rate they have conveyed upwards of fourteen passengers—3. That their weight, including engine, fuel, water and attendants may be under three tons—4. That they can ascend and descend hills of considerable inclination with facility and safety—5. That they are perfectly safe for passengers—6. That they are not (or need not be, if properly constructed) noisances to the public—7. That they will become a speedier and cheaper mode of conveyance than carriages drawn by horses—8. That as they admit of a greater breadth of tire than other carriages, and as the roads are not acted on so injuriously as by the feet of horses in common draught, such carriages will cause less wear of roads than coaches drawn by horses—9. That rates of toll have been imposed on steam carriages, which would prohibit their being used on several lines of road, were such charges permitted to remain unaltered."

This summary would convince the house of the impolicy of continuing the prohibitory tolls, by means of which the nation would for a time be deprived of the advantages which would necessarily result from employing inanimate instead of animate power. It might be confidently predicted that steam carriages would roll upon all the roads of the kingdom, when the names of those whose ignorance and petty interests had induced them to oppose this all-important invention would be forgotten. That in a country which owed its superiority to the successful application of mechanical skill and invention, whose inexhaustible supplies of fuel enabled its inhabitants, by means of inanimate power, to produce cheaper than any other nation on the earth, to whom, consequently, the facilities of locomotion are of the utmost importance—that in such a country prohibitory tolls on steam carriages should exist, was a circumstance of which an enlightened legislature might well be ashamed.

#### CACHEMIRE SHAWLS.

Extract of a letter from Paris, May 15, to the editor of the New York Enquirer.

Let us now cast a *coup d'œil* on a branch of the *exposition des produits de l'industrie Française*, which may, probably, prove interesting to your numerous readers. Perchance I may be fortunate enough to excite a little curiosity on the part of the better half of the creation, whilst I endeavor to give some *renseignements* concerning cachemires, both Oriental and Gallic.

Mr. Rey, a celebrated manufacturer of *cachemire Français*, wrote a book in the year 1827, entitled "*Histoire des Châles*;" the object of which was, no doubt, to further the sale of his own commodities. Few persons read the book, but greater numbers purchased Mr. Rey's shawls, which, however, were not to be compared with those now exhibited. However, a solitary individual, who did not—or could not, perhaps—buy a shawl, read the book; and the following is an anecdote related therein by the worthy manufacturer.

Addressing himself to the ladies, he says: Be it known to you my fair countrywomen, that every Indian shawl for which you pay so high a price, is second-hand, and that, too often, it has been worn by some *Bayadere*, (Indian dancing girl), and, peradventure, the said *Bayadere* has been affected with some cutaneous disease, with the germs of which the cachemire may have become saturated. Let me inform you that a celebrated actress died, not long ago, from having wrapped herself up on quitting a bath, in an Indian shawl, which had formerly belonged to a *Bayadere*! After this, do as you may think fit, as to purchasing India shawls, or dancing girls' shawls, for there is no difference!

The moral of this story was, that a well bred lady should not buy any shawls, excepting those of France; and above all things that she would make her purchases of Mr. Rey, on account of his pre-eminence as a historian and manufacturer. This gentleman is entitled to gratitude on account of his past efforts, although he has thought proper of late to allow himself to be surpassed by others; and if we might venture in our day, to offer a word of advice to the ladies, we should say, do not abstain from becoming possessed of India shawls, from fear of evil consequences in point of health, but do not consent to pay 3,000 francs at Bombay or Calcutta, for what poor French girls will make for you, often in a very superior manner, for 600. Buy your cachemires in France, in order to give work to those poor girls, who too frequently become *Bayaderes* merely because they cannot get employment; and if such be the case, it is because you send to Asia for your shawls. I will prove to you, that in following my advice, you will not only do a good action, but that you will be acting prudently.

An India shawl is a remarkable production, especially in point of solidity, design and color. Its principal advantage consists in the beauty of its border, palms, &c. &c. which never become uneven, so that it may be said to last forever, if the body or ground thereof, which is generally of a light texture, be renewed at long intervals. For a long time it was deemed impossible to discover the secret of the embroidery; but it was found out, many years ago, and several of the French manufacturers, at the head of whom must be placed Messrs. Girard & Deneirasse, and perhaps also Mr. Isot, make shawls upon lines, after the Indian fashion, with wonderful success. The designs are the same, for they are copied from those of India, the tissue is similar, since the hair comes from Cachemire; and no one can deny that the workmanship is perfect. The French cachemires are besides all made in a single piece, whereas

those of India have invariably several seams—and yet the former are despised! An India shawl must be had! An India shawl and death! for according to Mr. Rey, at all events it carries death to the pocket of the poor husbands who are *au dissejoir*, or being forced to pay 3,000 francs, I repeat, for what is offered here for 600, or to say the very worst 1,200 francs! O! woman (says the solitary individual who had read Mr. Rey's book), deceiving and deceived creature—thou intelligent but incomprehensible being! how long wilt thou patronise the Byaderes shawls?

Now allow me to relate another anecdote, which is not, however, in Mr. Rey's book. A few days ago one of these India shawls was so perfectly imitated that it gave rise to a singular adventure. The copy was placed in the same shop, by the side of the original. The price of the real cachemire was 3,000 francs, that of the other 1,000. A fashionable lady entered—"O! what superb India shawls," said she, "I must have this—what is the price?" "A thousand francs Madame." "Very well, I'll take it with me in the carriage." A few days afterwards, having learnt that her shawl was of French manufacture, and that she had missed the opportunity of purchasing a real cachemire, the lady went back to the shop in great agitation—was appeased upon finding that the dear India shawl was still unsold—made the exchange, and was delighted to have the opportunity of paying 3,000 francs. There are some most beautiful specimens of French cachemires at the exposition, and it would be difficult to decide as to which manufacturer has displayed the greatest taste. Success, then, to French shawls! and, as a present of a cachemire is *de rigueur*, on matrimonial occasions, we will hope that the brilliant display at the exposition may induce every young lady, (or her mamma), who may be upon the point of entering upon the holy state to stipulate that her bridal present shall be a *cachemire Francaise*.

#### THE WOOL TRADE.

Boston is the great wool market of the United States, and the following article from the "Courier" of the 4th instant, will interest many of our readers:

The prices of wool have recently been the subject of many paragraphs in the newspapers in various parts of the country. That the prices of this article have been depressed considerably to what they were last year, we think can hardly be doubted. Whether this be owing to greater quantities in the market, or to the operations of speculators, we cannot say. It would seem to an impartial and intelligent observer, that the sales of machinery and the discontinuance of many large factories, afforded, at least, a pretty strong indication that the business of manufacturing had not been carried on with much profit. And if the manufacturers give up their business and purchase no more of the raw material, a most natural conclusion would be that the prices of that material would be somewhat lower than when it was in brisk demand.

The editor of this paper does not profess to be a merchant or a manufacturer, and claims no better or more familiar acquaintance with state of the markets than every man may acquire, who reads the newspapers and the prices-current, and hears the remarks of men of business. Our review of the market is prepared by an intelligent commission merchant, who enjoys the entire confidence of his fellow citizens. His name stands at the head of the review, and he, and he alone, is responsible for its accuracy—always saving and excepting typographical blunders and mistakes. We know of no inducement he can possibly have to misrepresent the actual condition of the markets, in wool, or any other article of trade. His business is to collect information, and his intention is to impart it to the readers of the Courier, without partiality to the peculiar business of any class of citizens, or any desire to favor the speculations of importers, producers, vendors or purchasers, or the interests of any one description of persons to the injury of any other.

Our price current is frequently quoted in the country papers, and that part of it which relates to the article of wool is often censured and its accuracy doubted. It is not always treated in the fairest or most generous manner—not unfrequently the topic of a petulant and sneering paragraph; and, at last, has been charged, rather significantly, with *political corruption*. We have been accused of misrepresenting the state of the wool market, and keeping back the actual prices, for political purposes. Take, for example, the following from the *Aurora* Age—a paper, whose political character will be sufficiently manifested to the reader, without the index of our opinion:

"Price of wool. There appears to be a settled determination on the part of these Boston papers upon which we have been accustomed to rely for information as to the wool market, to exclude the article from their prices current, the Morning Post, being the only Boston paper which we have seen that gives actual quotations. Whether this arises from the fact that the manufacturers and wool dealers have combined to keep secret the prices, for the purpose of deceiving the wool-growers and inducing them to part with their wool at less than its true value, or whether the Courier, Advertiser and other Boston papers are so much under the control of the manufacturers that they dare not report the actual state of the wool market, we know not. We are however satisfied that wool is now and for some weeks has been selling to the manufacturer at a much higher price than our farmers are aware of—and we have no doubt, through the studied silence of the Boston papers, aided by the delusive statements of the Portland Advertiser, Ken-

nebec Journal, and other "panic" papers, who have evinced so much willingness to fleece the wool growers to effect their political designs, that thousands of dollars have been drawn from the farmers of Maine, and put into the pockets of the wool-buyers and manufacturers."

For whatever statements the farmers and wool growers of Maine have received from the journals of that state, or any other place, we are not accountable. How far the Hoston papers are chargeable with "delusive statements," we answer for none but our own; and to all who know the compiler of our review, his character is a sufficient refutation of the mean and paltry calumny implied in the quotation from the Age. In order, however, to satisfy any honorable men, who may be led by such vile political slang-wagging to imagine that we have given currency to "delusive statements," or that we have suppressed information in our possession, Mr. White has, at our request, obtained from one of the largest wool dealing houses in the city, the following statement—

Sales of wool, made by a house in this city, largely engaged in the wool trade, since May 1, 1831, amounting to over 300,000 pounds.

3,000 pounds Saxony fleeces, at 70 cents per pound; for the same lot of wool, 90 cents was refused last autumn.

44,000 pounds mixed Saxony, 57½ a 60 cents; the same description brought last season, 70 a 75 cents per pound.

50,000 pounds three quarters to full blood, 51 a 52 cents per pound; the same description brought last season, 62½ a 65 cents.

70,000 pounds three quarters to full blood 49 a 50 cents; the same description brought last season, 60 a 62 cents per pound.

15,000 pounds three-quarters to full blood, at 50 cents; the same description brought last season, 60 a 62 cents per pound.

20,000 pounds common and low grade, 25 a 38 cents; the same description brought last season, 47 a 50 cents.

28,000 pounds half blood, at 41½ cents.—This identical lot cost in this market last fall, 51 cents per pound.

Of pulled wools, 26,000 pounds superfine, part southern wool, at 47 a 50 cents; the same description sold last season at 55 a 60 cents.

45,000 pounds No. 1, do. at 40 a 45 cents per pound; the same description sold last season at 47 a 52 cents.

It should be observed and remembered, that the prices in this statement are the prices which the wool dealer gets from the manufacturer. When he adjusts his account with the owner of the wool, there is a charge for storage, a charge for guarantee, a commission and the interest on a credit of six or eight months, which, altogether, reduce the price, to the owner of the wool, at least ten per cent.

We shall not take upon ourselves the responsibility of advising the farmers and wool-growers to sell their stock or withhold it. They will, if they partake of the ordinary attributes of human nature, get as much as they can for their wool; and the manufacturers, acting from similar motives, will purchase as low as they can. Our price current is not under the control of either party. If both can be benefited by the facts it contains, and the remarks of an intelligent merchant, our object will be attained. If unprincipled politicians or cross-grained and ill-natured editors choose to make use of it to create panics, to excite distrust, or promote other purposes that cannot be effected by fair and honorable trade, the consequences must rest with them.

The United States Gazette, speaking on this subject, says— Considerable interest has been occasioned by the state of the wool market in this country; and particularly from the fact that agents have been sent out from England "wool gathering" among our farmers. The great reduction in the price of this article is one of the results of the "experiment" and the advantages secured to the foreign, over our own manufacturers, is another.

We recently informed our readers of extensive purchases, through the state of New York, made by European agents at fifty cents per pound, which our own manufacturers would, under other circumstances, have been able to purchase at a considerable advance. The evidence of this is afforded in the fact that last year the same quality of wool sold for seventy-five cents per pound. Every where else the demand for this important staple, is favorable.

The following is from Bell's Weekly Messenger of the 29th June.

"The sales of wools already announced are very nearly 6,000 bales in amount. The produce of choice fleeces in Australia on Thursday realized from 3s. 4d. to 3s. 11½d. per lb. for the finest fleeces, and from 2s. 10d. to 3s. 2d. for the second qualities. Other wools from the same colony did not obtain such advanced rates, generally ranging between 1s. 10d. to 2s. 11d. per lb. The Van Dieman's Land wools sold on Thursday were purchased pretty eagerly at prices from 1s. 10d. to 2s. 9d. per lb. The sale amounted to 1,000 bales. The first of the present series of sales commenced on Wednesday, when 1,012 bales of wool were sold, chiefly consisting of colonial wools, and although the qualities were not generally good, the prices obtained were higher than anticipated, Australian fleeces selling at 2s. 4d. to 2s. 8d. per lb. for the higher qualities, and others from 1s. 4d. to 2s. 1d. inferior Van Dieman's Land wools obtained from 1s. to 2d. per lb. for the low, 2s. to 2s. 3d. per lb. for the finer sorts. The remainder of the sales are expected to go off well there being so much demand for wools, the produce of our colonies, among the manufacturers. The demand for it is increasing abroad.

POPULATION OF THE UNITED STATES, AS SHOWN BY THE SEVERAL CENSUSES.

[Two or three years ago we published a table like the following, except that it was less particular and less full. We have repeated it, however, at the present time, chiefly for the sake of the facts, estimates and specifications that will follow in the first pages of the next number, that the whole may appear together when the volume is bound, and so save much trouble in references to those interested in this subject—on which the operations of political economy depend.]

STATES.	1790.				1800.				1810.				1820.				1830.				
	Free whites.	Other free persons.	Slaves.	Total.	Free whites.	Other free persons.	Slaves.	Total.	Free whites.	Other free persons.	Slaves.	Total.	Free whites.	Other free persons.	Slaves.	Total.	Free whites.	Other free persons.	Slaves.	Total.	
Maine.....	96,002	538	none.	96,540	150,901	815	none.	151,719	327,736	969	none.	228,705	297,405	929	none.	298,335	398,263	1,190	2	399,455	
N. Hampshire.....	141,097	630	158	141,885	182,995	855	8	183,858	219,490	970	none.	214,460	245,385	786	none.	248,271	344,161	1,194	9	345,265	
Massachusetts.....	373,324	5,463	948	378,737	416,923	6,552	8	423,483	485,403	3,697	none.	472,040	516,547	3,554	48	523,587	603,359	7,048	17	610,706	
Rhode Island.....	63,470	3,407	948	66,825	65,438	2,304	380	68,143	73,214	3,609	180	76,031	79,457	3,554	7,870	83,059	83,059	3,554	17	87,190	
Connecticut.....	232,374	2,808	2,704	237,946	255,179	3,204	951	258,383	255,179	6,453	310	261,942	267,381	7,870	97	275,254	299,663	8,047	55	297,353	
Vermont.....	85,298	225	16	85,539	153,068	307	none.	153,465	217,145	750	none.	217,895	267,281	903	none.	276,771	276,771	881	97	287,652	
N. York.....	314,142	4,654	21,324	340,120	556,063	10,374	30,613	586,676	918,699	25,333	15,017	819,049	1,333,423	29,309	10,080	1,372,423	1,873,663	48,370	75	1,918,608	
New Jersey.....	168,954	2,762	11,423	183,139	194,325	4,152	12,422	211,149	298,868	7,843	10,851	325,562	457,548	12,400	7,557	477,575	540,300	18,303	2,954	543,273	
Pennsylvania.....	424,009	6,537	3,727	434,273	586,975	4,564	1,706	602,543	798,804	22,492	795	810,091	1,088,985	20,293	4,061	1,109,398	1,309,900	37,930	403	1,348,233	
Delaware.....	46,210	3,899	8,987	59,094	49,563	8,987	1,036	60,586	78,804	13,136	4,117	72,674	85,312	12,238	4,509	90,183	1,409,398	15,855	3,969	91,143	
Maryland.....	208,649	9,928	319,798	291,908	291,908	107,707	291,908	349,692	235,011	33,927	11,502	380,546	560,222	29,729	79,749	639,978	291,108	52,938	102,994	742,146	
Virginia.....	448,114	2,675	692,627	747,610	518,764	27,507	346,968	866,149	551,534	30,524	392,518	974,622	603,228	36,859	88,859	1,065,366	694,300	47,348	102,994	1,174,646	
N. Carolina.....	298,204	4,966	100,572	393,751	318,523	13,196	478,163	376,410	10,266	168,824	10,461	14,612	205,117	638,829	49,734	1,065,366	694,300	47,348	102,994	1,174,646	
S. Carolina.....	131,178	1,801	107,994	240,073	196,955	3,183	146,151	345,591	214,196	4,554	196,365	415,115	232,433	189,570	1,767	6,714	258,179	490,209	257,863	7,921	315,001
Georgia.....	52,866	298	29,264	83,548	104,088	1,119	59,639	162,686	145,314	1,801	105,218	252,433	189,570	1,767	6,714	258,179	490,209	257,863	7,921	315,001	
Kentucky.....	61,133	114	12,430	73,677	179,875	7,711	40,443	229,959	324,237	1,713	80,561	406,511	435,826	2,547	19,732	455,568	296,806	24,886	917,531	516,822	
Tennessee.....	31,913	361	3,417	35,691	91,719	603	13,364	103,602	215,875	1,317	44,555	261,727	340,159	2,547	19,732	455,568	296,806	24,886	917,531	516,822	
Mississippi.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Alabama.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Ohio.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Indiana.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Illinois.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Michigan ter.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Louisiana.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Missouri.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Arkansas ter.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
D. Columbia.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Florida.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Total.....	3,173,148	59,481	697,697	3,929,326	4,316,745	110,072	896,849	5,303,666	5,862,093	186,446	1,191,364	7,239,903	7,860,990	233,398	1,531,346	9,660,765	10,526,248	319,599	2,049,043	12,866,920	

—In the original arrangement of the preceding table, the names of the states and territories were repeated, for every census, and thus the formation of new states and territories was easily shown;—but the capacity of our page forbade the execution of this arrangement, and has made a few explanatory notes necessary to show the progress of the new states and territories.

Maine was originally part of Massachusetts—and Kentucky and Virginia—but having had separate enumerations in 1790, (the date of the first census), their progress is easily seen.

Between 1790 and 1800 the state of Tennessee, Mississippi and Alabama were formed, and had been parts of the territories of North Carolina and Georgia, the population of each of which was then, and is thereafter shown.

In 1790, this district of country contained only 35,031 persons—but in 1830, being divided into three states, 1,128,053. Increase in 40 years—1,092,982.

†The regions north of the Ohio had not even a name in 1790. In 1800, the North-western territory, and the Indiana territory, appeared in the census of 1810; but in that of 1820, the states of Indiana, Illinois and territory of Michigan, and the territory of Wisconsin were formed. The territories of Indiana, Wisconsin and Michigan appear in the census of 1810; but in that of 1820, the states of Indiana, Illinois and territory of Michigan, and the territory of Wisconsin were formed. A new territory will soon be established in the north-western part of this country. The whole district contained only 51,006 persons in 1790, but in 1830 no less than 1,470,018. Increase in 30 years—1,419,012.

‡The whole territory of Louisiana being ceded by France, the Orleans and Louisiana territories were formed, and appear in the census of 1810. The first was formed into the state of Louisiana in 1800, and the second into the state of Missouri and territory of Arkansas, and so they remain, but the one is a large territory north and west of the state of Missouri which have not yet obtained a name. This country by its first census of 1810, contained 96,401 persons, in 1830, 386,582. Increase in 20 years—290,181.



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THE PAST—THE PRESENT—FOR THE FUTURE.

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## POPULATION OF THE UNITED STATES—CONTINUED.

STATES.	Estimates made in 1816 for 1820.	'As supposed rates per cent.	Actual results 1820.	Real rate per cent.	Estimates made in 1822 for 1830.	'As supposed rates per cent.	Actual results 1830.	Real rate per cent.	Estimates in 1834 for 1840.	'As supposed rates per cent.
Maine.....	297,315	30	298,335	30½	372,919	25	399,455	33½	519,268	30
N. Hampshire.....	216,629	15	241,161	13½	280,785	15	269,328	10	296,260	10
Massachusetts.....	519,244	10	523,287	10½	575,616	10	610,408	10½	701,969	15
Rhode Island.....	84,624	10	83,059	7½	91,265	10	97,199	17	111,778	15
Connecticut.....	274,539	5	275,248	5	289,048	5	297,625	8	321,759	18
Vermont.....	273,369	25	235,764	8	271,129	15	280,652	18½	322,759	15
New York.....	1,438,573	50	1,372,812	43	2,031,762	48	1,918,608	41	2,558,144	33½
New Jersey.....	287,306	17	277,575	13	319,211	15	320,823	15½	368,046	15
Pennsylvania.....	1,080,121	33½	1,049,398	29½	1,343,229	28	1,348,233	28½	1,712,255	27
Delaware.....	81,394	12	72,749	0	78,569	8	76,748	5½	80,588	5
Maryland.....	418,466	10	407,350	7	435,873	7	447,040	9½	487,283	9
Virginia.....	1,120,815	15	1,065,366	9½	1,161,250	9	1,211,405	13½	1,356,773	12
N. Carolina.....	638,825	15	638,829	15	715,488	12	737,987	15½	863,364	17
S. Carolina.....	498,140	20	490,309	21	578,151	15	581,185	15½	650,927	12
Georgia.....	329,202	30	340,989	35	426,236	25	516,823	51½	723,952	40
Kentucky.....	650,417	60	564,317	38½	733,612	30	687,917	21½	825,500	20
Tennessee.....	458,021	75	423,813	61½	570,798	35	681,905	61½	988,759	45
Mississippi.....	90,792	125	75,448	86½	105,627	40	136,621	44	204,931	50
Alabama.....	127,901	125	127,901	86½	337,500	125	309,527	106½	557,148	80
Ohio.....	576,890	150	581,434	151½	988,437	70	937,903	60½	1,403,826	50
Indiana.....	171,640	700	147,178	83½	331,150	125	343,031	133½	686,062	100
Illinois.....	73,692	600	55,211	349	193,238	250	157,445	183½	333,612	150
Michigan territory.....	23,810	500	8,896	86½	53,376	500	31,629	255½	110,736	250
Louisiana.....	172,251	125	153,407	102½	199,429	30	215,739	39½	280,476	30
Missouri.....	104,075	500	66,586	219	166,465	150	140,455	109½	224,728	60
Arkansas territory.....	14,273	500	85,638	500	30,388	112½	60,776	100	60,776	100
District of Columbia.....	36,034	50	33,039	37½	42,951	30	39,834	20½	45,709	15
Florida.....	34,730	.....	.....	.....	.....	.....	34,730	.....	52,095	50
	9,964,178		9,660,765		12,778,812		12,866,020		16,899,693	

Whole population.

(1790).....	3,929,326
(1800).....	5,303,666
(1810).....	7,239,903
(1820).....	9,660,765
(1830).....	12,866,020
(supposed in 1840).....	16,899,693

The rate of increase from 1790 to 1800—was 34½ per cent.  
 1800 to 1810 36½ “  
 1810 to 1820 33½ “  
 1820 to 1830 35½ “  
 Estimated 1830 to 1840 31½ “

Plausible reasons, we think, may be assigned for these differences in the rates of increase. The period from 1800 to 1810 was one of great commercial prosperity, except in the two last years; that from 1810 to 1820 took in the war, a season of wild speculation, the reign of “rag-money,” great changes in the value and possession of property, and the ruin or bankruptcy of scores of thousands of the better part of the population; that from 1820 to 1830 was one of general prosperity, in the restoration of a sound currency, the encouragement of manufactures and of internal improvements, the pursuit of a liberal commerce, and, more than all, in a steady demand and high prices for labor, except in the two first years of the ten. But we have estimated the increase from 1830 to 1840 at only 31½ per cent. for the reverse of those causes which added so largely to our population in the two prosperous periods above spoken of. It is hardly worth while to observe, that, as a general rule, prosperity advances, and adversity retards population—the first encouraging marriages, by relieving persons of the fear of having families to support, and the second by discouraging marriages, because of stunted means or an apprehended want of steady and profitable employment.

We have given the estimates that we made in 1816 for 1820, and in 1822 for 1830. The first estimate differs from the real amount in being 303,413 more; but the second estimate is less than the real amount in the sum of 98,208—which was a very good guess. In the location of people, some of the estimates approached the real amounts with singular nearness—in others large differences exist; the latter are generally in the new states. Yet in these, as in the others, we have again attempted prospective estimates of their population, according to present appearances of things. But to those who know the sudden and powerful changes that take place in the currents of emigration, it is needless to remark that these particular estimates are not to be relied on, whatever opinion may be formed of the aggregate made out. And events may happen that will hereafter induce us to add from 500,000 to a million of persons to this supposed aggregate.

Of the supposed amount of the population in 1840, somewhere about 2,550,000 will be slaves—their number in 1830 having been 2,009,050; in 1820—1,531,436; 1810—1,191,364; 1800—896,849; 1790—697,697. Our estimate for 1830, made in 1822, was that the slaves would have an aggregate of 1,962,000, or less than the real amount in 47,000. The rules then used will give nearly the number just above suggested—2,550,000. If the present demand and price of cotton, however, continues, the number will rather be greater than less. The laws for their increase are the same as those for free persons.

It appears almost certain that the population of the United States will be considerably more than quadrupled in half a century—from 1790 to 1840.

We did intend here to have offered many facts and speculations on population—but they must be deferred; for from the long continued heat, or some other cause, we are unfitted to work in statistics, though generally feeling great pleasure in them.

We briefly mentioned in our last, a great outrage committed at Charlestown, Massachusetts, which ended in the conflagration of the Ursuline convent, in that town—and certain riots that had happened in Philadelphia; and now present many particulars respecting the former with an account of the proceedings had on the subject—and copy full accounts of the *second* and *third* night's mobs in Philadelphia, being merely repetitions of the outrages committed in the *first*.

Does it not appear that the character of our people has suffered a considerable change for the worse? If so—what is the cause? We fear that the moral sense of right and wrong has been rendered less sensitive than it was—that a spirit of *force*, in certain cases, has begotten it in others. The saying of the sage, that "truth is a victor without violence," is passing into disrepute, and sober and peaceable individuals are called upon to defend their own personal rights, or those of their neighbors, by the "*ultima ratio regum*"—the *last reason of kings*, or that of *force*—instead of relying upon the wholesome and quiet operations of the law "round the standard" of which every citizen ought to rally, and all respect. We shall not "return railing for railing," nor condemn a population *en masse* for acts which nineteen-twentieths, if not ninety-nine hundredths, most sincerely reprobate—as happened to the population of *Baltimore*, in 1812, the year of the declaration of war against England—but would recommend charity to all classes of persons, wherever located, and that the bad acts of a few shall not be plead against the good conduct of the many. Nor is it easy, in a country like ours, to repel the exercise of illegal force by the use of an authorised force—for public opinion is against it; and we have but a small *antomaton* power, in hired soldiers, to act on such occasions—and would hope that we never may have such uses for them. But many late events—such as murderous riots on the lines of our rail roads and canals of foreign origin, and in some of our cities of domestic production, shew the necessity of an organized military power sufficient to overawe, or *suppress*, acts like those now recorded, or those which happened in New York, and at other places, not long ago. Our militia laws, in general, are grossly defective, if not ridiculous in their operation—but it would seem that measures might be adopted by which *volunteer corps* could be encouraged to keep themselves in readiness to preserve the public peace, in maintaining the supremacy of the law, when required. And this seems manifest, that a certain degree of *discipline* is absolutely necessary to render a body of men either prudently defensive or effectually offensive, on any occasion. Mobs easily recognise leaders, and yield obedience—but not so with citizens; and it is much easier to destroy than to save. And who is safe, if such things are permitted to pass unpunished? We hope for an example in Massachusetts—we have entire faith in the integrity of her judges and the firmness of her executive, that persons arrested and found guilty of participating in the late outrages at Charlestown, will suffer the severest penalties that belong to the foul crime of arson—and are glad to learn that the work of finding out the wretches has been commenced with satisfactory energy and zeal. So also at Philadelphia—but *why* the mobs in this city, we have yet to learn. The blacks have suffered cruelly, and submitted with much patience—but if they had resisted, or should retaliate—what then?

An interesting correspondence has taken place and is inserted in a subsequent page, between certain anti-masons of Massachusetts, and gov. Davis.

Under the proper head, will be found brief notices of the late elections, so far as accounts have reached us.

It will be seen in our abstract of the latest foreign news, that the "Grey ministry" has been dissolved by the resignation of Lord Grey, and others—the causes of which we have also briefly stated.

The speeches of lords Grey, Brougham and others, on this occasion, possess much interest to those who closely examine the proceedings had in Great Britain; but we cannot give them. Lord Grey in his speech announcing his own resignation, stated that he had completed his 70th year in March last, and, deprived of the assistance that he

had had from those who had previously resigned, that he was not able to discharge the duties of his office—and he spoke of the great measures which had been effected during the period of his administration; and also stated that himself and his relations who had been appointed to office, instead of carrying away any of the public money, would leave the public service poorer than they entered it.

The president had a severe bilious attack on his way to Tennessee, but the "Globe" says that he had entirely recovered from it. He reached the Hermitage on the 5th, and accepted an invitation to attend a public festival at Nashville on the 13th inst. The "Globe" attributes the disease to the stagnant water that has been formed in the "*president's grounds*," (which used to be called the grounds of the president's house), by the embankment of the canal. If the waters have there become stagnant, the nuisance ought to be immediately abated.

The Frederick "Examiner" of the 13th August, inst. quoted the wagon price of flour, at Baltimore, on that day, at \$5 @ 5 12½ and said that on the corresponding day of 1833, the price at Baltimore was \$6—in 1832, from 6 25 to 6 37, per barrel. That, for the corresponding week, in 1832, the inspection, at Baltimore, was 8,461 bbls. and in 1833, 10,916; but in the week of this year only 6,517. So it appears that the large supplies obtained much better prices than the short one.

The same paper of the 20th inst. says, the price of flour at Baltimore (*the market*), is still \$5 12½. In the corresponding week last year it was \$6; in 1832, \$6½. A generally reduced price of more than one dollar per barrel is shewn against the farmers, in the present year.

The war against the manufacturing industry and navigating interests of the eastern people, with the deranged state of business in consequence of the derangement of the currency, has thrown those who were our best customers for flour more or less upon their own resources, and much diminished the demand for southern bread stuffs.

We regret to learn that the late flattering prospects of the corn crops are no longer indulged. The long drought and continued heat, have, as it were, burned up vast quantities of the growing grain. Rain has not fallen at many places round us, for 4 or 6 weeks.

One of the new locomotives that has been prepared for the Baltimore and Ohio rail road, (and several are getting ready), lately drew 108 tons, 18 cwt. exclusive of the engine and tender, around some of the shortest curves of the road, and up acclivities of 20 feet in the mile, at the rate of 12 miles an hour. The use of horses on this road, except at the inclined planes, will, probably, soon be dispensed with. These locomotives are constructed by the company, and will all use anthracite coal. They are highly spoken of. There have been times when the business of the road a little exceeded the means of the company to give it despatch—but with 6 or 8 engines, always ready for operation, the utmost promptitude may be expected, both on this road, and on the road to Washington, which latter is very rapidly making, and in the best manner.

We have spoken of the reduced amount of labor expended in performing the usual business of agriculture, in consequence of improved instruments and tools, new roads and canals, and, generally, in the march of scientific knowledge and power. But the end is not yet—nay, not the "beginning of the ending," by any means!

The late improvements of the steam engine, and others that may be, with a moral certainty, expected, will make them more common among our farmers than thrashing machines yet are in any part of the country in which they are now most used; and we think it not at all extravagant to believe, that grass will be cut and hay made—lands be ploughed and reaped—grain be thrashed and cleaned, and then sent to the mill, and the market, by steam! For it seems clear that almost any ordinary operation which can be performed by horse-power, may be accomplished by steam locomotive power. And with the same engine which performs the operations suggested, and others not now dreamt of, the farmer's wife will have her clothes washed while it is grinding grain for fa-

mily use, or performing other common purposes, such as drawing out iron to make plough shares or horse shoes!—for the engine, being *locomotive*, may be placed in any convenient position, after a little preparation of the road over which it is to travel. We shall not attempt to place limits to the uses of steam—nor do we believe that the *best* engines have a nearness to the perfection that will be arrived at—a few years hence.

Good roads first, and then rail roads and canals, have also made a great revolution in the business and labor of agriculturists in regard to the rearing and demand for horses, and this revolution, too, is only at its beginning. Let us notice one case, by way of illustration. The "Arabian" locomotive, on the Baltimore and Ohio rail road, is capable of training cars loaded with more than 100 tons, besides moving itself and its tender, over the most curved or ascending parts of the road, (the inclined planes proper, excepted), at the rate of 12 miles an hour. The distance to Frederick, by this road, is 60 miles, though by the old turnpike only 45. Allowing then an hour for passing the inclined planes and for taking in water and fuel, the distance between Baltimore and Frederick may be performed four times in 24 hours, if so needed or desired, and, of course, more than 400 tons of merchandise be moved that distance in the space of time just stated. Now it would require 133 wagons, with 1 driver and 5 horses each, and each carrying 3 tons, 48 hours to move the 400 tons from Baltimore to Frederick or *vice versa*, over the turnpike of 45 miles, for the horses must rest at night. This work, if performed by two sets of horses, travelling night and day, in 24 hours, would require 133 wagons, 266 drivers, and labor of 1,330 horses; but the engine and its train will require only three or four persons in all, unless at the inclined planes—which being a peculiar obstruction to the free use of the road, should not enter into any general calculation on this subject. This is the business of *one day*—and the loading of the cars is much easier than that of common wagons. Indeed, such are the conveniences in this respect, that we may every day see the bodies of wagons passing on rail road cars, with their loading, as it was packed at Baltimore for Wheeling, or at Wheeling for Baltimore. So much for the saving of horse-power, and the diminished demand for horses, in the transportation of goods.

Let us look a little at the transportation of persons. We do not know the number of passengers who travel east and west on this rail road. Perhaps, they are about 200 a day. If this is more than the real number, it makes no difference—for the amount may exceed 500 a day, in a short period of years, and probably will—the road being extended and linking itself with other roads, &c. To convey the 200 passengers from Baltimore to Frederick [45 miles by the turnpike] or *vice versa*, would require 22 stages, each carrying 9 persons, 22 drivers and 176 horses, allowing each horse to travel rather more than 22 miles in 24 hours, which is hard work in heavy loaded stages, and the average time of the journey is 8 hours, delays variously happening from heat and cold, rain and snow, &c. The weight of 200 passengers, with their baggage, may be put down at about 17 tons—*which weight might be added to 100 tons trained by the locomotive without at all detracting from its speed!*—and the aggregate of time saved by the 200 travellers, in one day's business (and "time is money") amounts to 400 hours, equal to 17 days of 24 hours.

To recapitulate—on the brief distance of only 45 miles, we gain a power, in a single steam engine, managed by 3 men, equal to that of more than 1,500 horses, requiring the immediate charge or care of at least 300 men, besides the saving of time—which, of itself, is more valuable than the cost of management and fuel for the engine.

But in all these savings of horse-power, whether in the business of agriculture, or of transportation, there is one other great matter for the consideration of producers of grain—the *lessened demand for it*. It is computed that what feeds one horse will feed eight individuals. So the use of steam power in the estimated power of transportations over only 45 miles, is equal to the supply of bread stuffs for 12,000 persons—to say nothing of the supply of meats, which the grass and hay, consumed also by the horses, might furnish in the diminished demand for horses. If our average export of bread stuffs be equal

to 1,000,000 bbls. of flour, or 196,000,000 lbs. it will feed 537,000 persons one year, allowing each 1 lb. per day. It then follows, that the use of 45 [*forty-five*] engines, and in the manner above calculated, may cause a surplus of bread stuffs, for the use of individuals, equal to the average foreign export of the U. States! There are, then, very important things involved in the considerations that belong to rail roads and canals, and the general application of steam power. And the selling value of horses should also be taken into the account.

These are mere hints—or references to the facts that are before us. They might be *carried out* much further, and especially in showing also the extra means of furnishing supplies of meats, in the land gained for the support of cattle, by the reduced number of horses, &c. and being fond of such pursuits, we shall, perhaps extend our calculations with a view to give *some idea* of the mighty revolution that probably will be brought about by the *general* and FAMILIAR use of steam power—firmly believing, as we do, in the prophecy of *Oliver Evans*, that it will be so improved, and rendered so manageable, as to be applied even to common household purposes. Its effects already may well be called prodigious—but are yet hardly begun to be felt!

It appears that the new gold coins have been really counterfeited, in the manufacture of 25 cent pieces into half eagles, and 10 cent pieces into quarter eagles, and that some, out of their zeal to obtain pocket pieces, or "brag money," as we called it in our last paper, have paid the penalty of their indiscretion. These are not *quizzes* of party—but the cold acts of scoundrels who ought to be most severely punished, if detected, as we hope that they will be. But folly in this case, as in all others, opens the way to imposition, and every rogue well knows how to take advantage of "hobbies." Nothing else, however, than an utter ignorance of the weight of metals, or the blindness of party, could suffer such miserable imitations to pass current.

It will be seen by an article in another part of this sheet, that the mint is hard at work in making new gold coins. We are told that the bank of the United States will give it a large job—in that way. A few millions in *legal* gold, which the bank can very conveniently keep, will be just the thing to check malicious demands for coins.

The following paragraph is copied from the great "official"—

Mr. Biddle and his partizans have constantly declared how painful it was to them to distress the country, and how glad they would be to relieve it, were they not deprived of the power of doing so by the removal of the deposits. The criminal hypocrisy of all this cant is now demonstrated by the fact that he has been engaged for months in sending funds to the great bankers in Europe, and now has abroad over \$4,200,000, which might have been retained at home, and used for the relief of the American people! Let those who have been deceived by the cant of the bank, reflect on this fact, and judge of Biddle's sincerity.

The "Globe" having a ready access to the monthly returns of the state of the bank, is probably correct in its statement—that the bank has \$4,200,000 in Europe. But how were these funds obtained? Was it not by the purchase of bills, with its own money, and did not such purchases "relieve" the monetary wants of the country in the same manner as if loans had been made on usual sixty or ninety days notes? We should like to see where the difference is. The funds in *Europe* were obtained by the issue of the notes or credits, or specie, of the bank—at home.

It is probable that the bank will make a large profit on this proceeding. If trade revives—it has exchange to sell, and at advanced prices; if trade remains dull—the bank may, and most probably will, *import gold*, and sell or exchange that, at an *ADVANCED PRICE*, also, at the mint of the United States! Surely the latter will not be complained of by the "Globe"—for, in that learned paper, it is not thought that gold can be purchased too dearly, or that the importation of specie may, in some cases, as certainly shew the adversity, as in others indicate the prosperity of a country. But such importation is generally, if not always, adverse to the *navigating interest*, shewing the want of freights—on the labor and capital

expended in which a very material part of the value of a commodity often depends. A hoghead of molasses, let us suppose, is worth \$15 at New Orleans, and 20 at Boston. Will the owner of a Boston vessel, at New Orleans, bring home 15 dollars in specie, when he can buy a hoghead of molasses for that sum, and make five dollars on its transportation to Boston, whither his vessel is about returning? But if he prefers the specie, it is evidence that he will rather lose a freight than risk the transportation and sale of the molasses at Boston; or that cash is more in demand at Boston than molasses. This operation shews an unprofitable state of trade between the two ports, and to both of them; and there is no compensation for the charges and wear and tear of the vessel. The principles here suggested are of universal application. If crude copper will advance half a cent per lb. on being transported from Valparaiso to Baltimore, gold, received at Valparaiso for the outer cargo, will be exchanged for copper, as the ship must be ballasted; and it is better to take in copper than that will pay even so small a freight, than stones or sand that pay nothing.

The ancient and steady jealousy of the people of our parent-country, the land of "John Bull," over the purse-strings and the power of money, if held by their kings, is very pointedly shewn in the following extract which we happened to notice the other day, (in a valuable New York periodical, called the "Constellation"), being a part of an essay concerning ghosts and goblins, witches and sorcerers, and other *extraordinaries*, and among them the old belief in the virtues of the "philosopher's stone."

"The act of transmutation was so fully believed in England in the fourteenth century to have been carried to perfection, that an act was passed in the fifth year of the reign of Henry IV, by which the manufacture of gold or silver from the base metals was made a felony! The ground solemnly alleged for the enactment of this law, was the apprehension entertained by the commoners of those days, that if money were obtainable in this fashion, the king might supply himself with treasure *ad libitum*, WITHOUT THE ASSISTANCE OF PARLIAMENT, AND SO CONVERT IT TO THE PURPOSES OF DESPOTISM. The prevalence of a similar belief here, even late in the fifteenth century, is proved by patents which were granted by Henry VI, with a view to encourage researches in pursuit of the philosopher's stone."

We mentioned, some time ago, that Mr. Cooper, the "novelist," had "made a book" on politics, and expressed regret that he had meddled in them. It is said that he has been "rowed up salt river," in a reply. We have not seen either publication—but from some notices of both, it appears that Mr. Cooper had taken the ground that more was to be feared from *legislative* than *executive* usurpation! Neither history, nor common sense, will bear him out in this rank and foul heresy against the people. But it is not worth while to say more on the subject. We do not like *romancing* on the first principles of free governments.

The New York Mercantile Advertiser and Advocate has the following just and appropriate remarks—

The mechanics convention for the state of New York will be held at Utica on the 20th of the present month. The object of it is to adopt such measures as may be found necessary to protect their rights against the injurious consequences of the state prison monopoly and some other laws of the state. The impression is strong amongst this class of our fellow citizens, that their interests have been compromised by the very low prices at which state prison goods have been thrown into the market. If they can make this appear, their opposition to it will be heard, and their grievances will be redressed. The happiness and the general wealth of a nation are always in proportion to the amount of its productive labor, and is always regulated by the rate of wages of the laboring classes. The higher the wages are, the greater will be the amount of comfort and luxuries of life enjoyed by all classes. In opposition to this assumption, it has often been stated, that the rate of wages in a country can make no difference to the inhabitants, because the prices of all its productions are regulated by them. This would be true if we imported nothing from foreign nations. We should have to pay the same prices for tea, coffee, sugar and a thousand other articles, if wages were down to a shilling a day, as we do now. A sixpence might get as much bread and meat as four shillings do now, but the remaining sixpence would go but little way in purchasing the foreign articles which the poorest laborer in the country consumes. It is for these reasons, that we shall have for its object the *maintaining* or *raising* of wages. The richest man in the country is equally benefited with the

poorest, by the protection of the actual laborer. It may do very well for the office holders and their partizans to uphold the state prison monopoly upon their boasted principles of "free trade," but we hold ourselves prepared at all times to defend the industry of the country against all [unfair] competition, foreign or domestic.

It is for these principles that we have, for about thirty years, steadily contended. We have desired to build up an intelligent and independent populace, and the starting place for that is in obtaining liberal profits on labor, the only thing which the many have to sell. And when labor is in high demand, how beautiful are its operations on society! It is true, that now and then we hear of turn-outs, &c. but these, like the electric fluid discharged from the clouds which purify the atmosphere, chiefly end in a better established equality between the parties, and a more just consideration of the real state of things on both sides. On the other hand, how pleasant it is to see the growing comforts of the working people—to see the father, feeling the effects of a want of education in himself, sending his sons and daughters to school, and to hear the little gay and happy urchins reading books and newspapers, for the information of their parents. But time would fail to describe the good effects of high prices for honest labor, and they injure no one, if a *due reciprocity in trade is maintained*. There is a sort of *natural tariff* that must be observed. The well-fed American cannot, by manual labor, compete with the East Indian. The relation of their wages is about as 100 dollars to 10—and so it must be to keep up existing differences in the manner of living and clothing, and those comforts which have become *necessaries* to the American people.\*

It is an old saying, "There is no knowing who's governor until after the election."

The "Indiana Democrat" before the election said—

"Noble's friends are deserting him like leaves in wintry weather, and rallying under the democratic republican standard. Success to our cause! The victory is worth contending for. The last hope of Clayism in our state is the election of Noah Noble. Indiana will stand completely disenthralled from the domination of Noble and his gang of public defamers, after the first Monday in August."

But the same paper after the election, says—

"The election has terminated somewhat to our disappointment. Noah Noble is doubtless re-elected governor, and David Wallace, lieutenant governor. Much as we deprecate the issue, we must submit to the fiat of the sovereign people, whose right it is to elect whom they please. \* \* \* \* \* All that we have to say this week is—we are beaten in the election for governor, and we are sorry for it; but can't help it."

The "Democrat" is the leading administration paper in Indiana. Mr. Noble's majority is very heavy. It is even suggested that it may exceed 15,000.

The following are among the resolutions lately adopted at a meeting of the "Democratic citizens of South ward," Philadelphia, of which Geo. M. Dallas, esq. late a senator of the United States, was chairman:

And whereas, This aristocratic combination of banking, consolidation, blue light federalism and nullification, under false pretences, and the specious but stolen name of an English monarchical party professing free principles, seek to cheat and delude the friends of constitutional law and free institutions, in order the more effectually to subvert the liberties of the people, destroy pure democracy, and prostrate the country at the foot of their ambition, therefore,

*Resolved*, That the contest at present waged by the bank of the United States and its friends, is from first to last a war against the rights and liberties of the people, waged to revive the prostrated pretensions of wealth and aristocracy, to supremacy in the land.

*Resolved*, That "modern whiggery is modern trickery," and as such merits the scorn of all true democrats, who understand that in a contest like the present, all who are not with democracy, heart and hand, are against it and its principles.

Mr. Dallas was, until lately, a zealous advocate of the bank, and, under the unanimous instruction, also, of the

\*The world are but little acquainted with the deplorable condition of the poor English laborer. The hand loom weavers, and various classes of mechanics throughout England, depend upon a small additional poor rate to their wages to raise them above the power of machinery and actual starvation. In Suffolk county alone one-half the population receive this relief. There are 8,000 surplus laborers in Sussex—there being 133 men to do the work of 100.

†"Somewhat!" There is "somewhat" of a difference between the "glorious" victory proclaimed in advance, and the annihilatory defeat realized!

"democratic" legislature of Pennsylvania. And did he not introduce the bill to recharter the bank, which passed both houses, and was *vetoed* by the president?

It is true, this instruction of Pennsylvania was charged as a *rank corruption* of the members of the legislature—that a system of corrupt "bribery procured the passage of the resolution in favor of the bank," &c. which was thus repelled, at the time, in the Philadelphia papers—"The members of the legislature that passed the resolution in question, have returned to their homes; and the undersigned, a portion of those members, residing in and near Philadelphia, having an opportunity of conveniently interchanging views, deem it an act of justice to their constituents, and to the people of Pennsylvania, to pronounce the charge—no matter by whom made—by whom repeated—or by whom countenanced—to be an unfounded and atrocious libel.

"Samuel B. Davis, Joseph Taylor, J. R. Burden, Richard Pelz, James Goodman, John Felton, Charles H. Kerk, Charles Brown, Henry Simpson, William Wagner, Thomas J. Heston, John Carter."

Philadelphia, May 18, 1831.

Do any of these gentlemen now charge that corruption on others, which they so earnestly repelled when preferred against themselves? Have they "kissed the black stone," and been not only purged of sin, but rendered incapable of committing sin—with power to make sinful all persons who do not turn as they have turned, and twist as they have twisted? We hope that, having felt the slander on themselves, they have some degree of charity for others.

But the *politics* and *politicians* of Pennsylvania—whether regarding the tariff, internal improvements or the bank, or any other great national question, have latterly been just as the wind bloweth, and in the keeping of *circumstances*.

The *Cincinnati Gazette* says—

Gen. Cass, secretary of war, arrived in Cincinnati on Friday week, and tarried until Monday morning. He was received and treated with marked respect and hospitality, without reference to party association. He was on the look out for a place of future residence, and also upon a tour to Detroit.

There has been a good deal of speculation among politicians as to the condition and prospects of Mr. Cass. Some have said that he could not much longer hold a seat in the cabinet—and others that he would voluntarily retire from it, that he might be better prepared as the "alternative" candidate for the presidency, in the event of certain things happening in New York and other states.

It will be recollected that admiral sir Isaac Coffin, (of the British navy) a native of Nantucket, when on a visit there, some years ago, founded, and liberally endowed, a public school, called the "Coffin school," for the particular education, however, of all the little *Coffins*, present or to come. He has lately permanently added £100 sterling more per annum, for the support and extension of this school. The stock to produce this revenue he desires may be vested in the name of the governor of Massachusetts, or mayor of Boston, for the time being, and its interest drawn for by said governor or mayor, to be applied as aforesaid.

A New York paper says—The immigration into Canada through Quebec from June 1825, to August 1834, amounts, according to a table published in the Montreal Daily Advertiser of 7th inst. to one million, one hundred and thirty-three thousand, eight hundred and thirty-eight persons. The greatest number of immigrants in any one year was in 1832, when it amounted to 220,000.

This number far exceeds any thing that we had calculated. We have thought that the average whole number of emigrants from Europe to America, hardly exceeded 100,000 a year, all counted.

At the dinner of the Literary society at London, the prince of Canino, (Lucien Bonaparte), gave the following sentiment:

"To the political principles, sacred treasure of the British constitution; to the inviolability of the private dwelling, to the independence of the jury, to the freedom of the press, and to the imprescriptible right of association! May these precious liberties, gentlemen, continue to constitute your happiness! but may they also cease to be foreign to France, who for forty years

has been fighting to obtain them! May the intellectual progress of political reform which agitates Europe be directed every where, as it is with you, by religious sentiments, and an inviolable respect for property, and may all nations become as free as the hospitable people of old England!"

The Portuguese decree, putting down the friars and monks, was going into effect, but with great liberality. The orders were abolished—but the *present* members of them, destitute of means of procuring a livelihood, are to be assisted from the public treasury.

THE CHOLERA.

The following brief notices of the progress of the *cholera*, at various places, may suffice all ordinary purposes of information and record.

Daily reports are now made to the *New York* board of health. The Commercial Advertiser says—

The first decided case of cholera, according to the first report of the board of health, made on Saturday the 9th inst. which terminated in death, was on the 23d of July. From that period to the present, 27 days have intervened, and the deaths in the whole of that time, including the report of to-day, are 120.

They stand thus:

	Cases.	Deaths.
To Saturday, August 9	.....	14
Sunday, August 10	.....	3
Monday, August 11	.....	5
Tuesday, August 12	.....	4
Wednesday, August 13	.....	6
Thursday, August 14	.....	11
Friday, August 15	.....	9
Saturday, August 16	.....	16
Sunday, August 17	.....	18
Monday, August 18	.....	17
Tuesday, August 19	.....	17

\*120

This presents an average of a fraction more than four deaths per day by this disease, whereas the 27 first days of the scourge in 1832, exhibited a mortality of more than 1,450. The climax of the disease in that year was the 21st or 22d of its avowed existence—nor was the temperature during its prevalence in that season more intensely hot than it has been since it commenced in July of the present year. On the 21st of July, 1832, no less than 164 deaths were reported—being only sixteen fewer than the entire number that has died of cholera in the city the whole of the present summer.

Among the victims at New York was judge Cowan. From apparently the best health he passed into the valley of the dead, in 11 hours; this death has been attributed to eating withered and unripe potatoes. He was a gentleman of careful habits, both in eating and drinking.

The cholera still continues in the lower part of *Albany*. On Sunday there were 9 cases and 3 deaths, and on Monday 14 cases and 9 deaths.

One fatal case has occurred at *Rochester*, in the person of Mr. Richard Van Kleec, who had just returned from Toronto, where he is supposed to have taken the disease.

The board of health of *Buffalo* have issued a circular, in which they state that the cholera has existed in that city for the last 20 days, and that 37 deaths have occurred by that disease.

An extra of the *Detroit Free Press*, dated 11th August, states that from the 1st to the 11th, inclusive, there had been 52 deaths by cholera, in that city. Eighteen of the above were strangers.

The disease at *Poughkeepsie* was rapidly abating—and some days had elapsed without a single death by cholera.

Solitary cases have happened at *Catskill*, *Lockport*, *Ogdensburg*, *N. Y.* at *Pittsburgh* and *Washington*, Pennsylvania, *Madison*, Indiana, and a number of other places in the west.

Three fatal cases of cholera were reported at *Washington city* on the 15th inst.—but none others since.

The last weekly report from *Cincinnati* shews only 13 deaths by cholera—in the previous week 29 had happened from that disease.

The disease was declining at *Montreal*, and, at the latest dates, the deaths by cholera were 16 or 17 daily. At *Quebec* the deaths from that disease range between 20 and 30 a day. The cholera was bad at *Kingston*, and cases were happening in many other places in the *Canadas*.

The total number of deaths at *Montreal* for 33 days, in the last and present months, was 1,081—viz: 404 children and 680 adults, of these about 850 were by cholera. The aggregate of the same days, in the years 1830, 1831 and 1833 had an average of only 191—1832 was the first cholera year.

The news from *Madrid* of the 4th inst. is to the following effect: "The cholera is almost exclusively the object of attention here. This terrible malady which still continues its ravages in the south of Spain, has at length made its appearance in the capital, where, however, it is as yet confined to the hospitals. The cases said to have happened in private are doubtful. The disease, both at *Madrid* and at *Balleca*, a village one league from the capital, where the great number of sick are, shows it-

\*There were 15 deaths on the 20th, and 20 on the 21st.

self in a mild form; but little reliance is placed upon this circumstance, as it also at first appeared under a mild form in the towns in Andalusia, where the mortality has since been so considerable."

## ELECTIONS.

We shall give below some returns from *Kentucky, Indiana, &c.*

The parties are preparing for battle in the state of *Ohio*, with great zeal. General *Findlay*, of Cincinnati, was some time since presented as the opposition candidate to gen. *Lucas*, (who received the nomination of the "Jackson republican" convention), and has been, by common consent, adopted as the choice of that party. An attempt was made to bring out Mr. *Fance*, at present one of the ablest and most useful members of congress, and his name as a candidate was inserted in many papers "by request"—but he has publicly withdrawn himself, and will support gen. *Findlay*; so there will be a full trial of strength between the adverse parties. The last named gentleman was an "original" friend of general Jackson, but retired from the support of president Jackson some time ago.

There will be a very sharp contest in *Maine*. The eloquent senator from that state, Mr. *Sprague*, is the opposition candidate for governor. The election for members of congress also comes on early in the next month; and in several of the districts will be earnestly disputed.

Great political excitement prevails in *New Jersey*, and the whigs have held many very numerous meetings.

In *Maryland*, unless in the reception of Mr. *Taney* at Baltimore and in Frederick, not much of electioneering business has yet been done, except in the primary assemblies of the people; but the campaign is about to open with considerable zeal.

In *Pennsylvania* we have strong indications that there will be only two divisions of the people at the October election—for or against the administration. The anti-masons, thinking that they have accomplished much, and hoping to do more by a conciliatory spirit, seem to be generally returning, at least for the time being, to their former political preferences, and will unite themselves, as the case may be, very generally, with one or the other of the parties just designated. Large meetings have been held in several of the strongest anti-masonic counties, at which resolutions to this effect have been passed. As a body, the anti-masons are also anti-administration. The following resolution, adopted in Luzerne county, may serve as a specimen of the proceedings alluded to:

Resolved, therefore, That while anti-masons regard with jealousy, distrust and apprehension, the principles and pretensions of freemasonry, and are not insensible of the existence of paramount political evils—and while they cherish their own distinctive sentiments as necessary to the entire and perfect political regeneration of their country, and look steadily to their ultimate object and to the distinctiveness of their party, yet, for high and patriotic motives, they deem it expedient to unite on this occasion with all patriotic citizens, who are in love with the constitution, and alarmed at its infractions, to rescue it from the misrule of those who have despised its claims and trespassed upon its sacred provisions.

The election in *Rhode Island* will take place on the 26th inst. for members of the legislature. It will be warmly contested, because of the election of a senator of the United States, Mr. *Knights*' term expiring on the 3d March next. The gentlemen held up for this office are *Tristram Burges* and *Elisha R. Potter*, esquires. The result will very much depend on the course pursued by the anti-masons. Neither of the parties, we believe, ever belonged to the masonic society.

From *Indiana*, we learn, by the *Indiana Journal* of the 9th instant, that in 15 counties, the aggregate of votes for governor of the state, was for Mr. *Noble*, (wing), 12,287; Mr. *Read*, (Jackson), 7,687. In 1831 the vote in these counties was for *Noble*, 7,532; *Read*, 5,092—apparent comparative gain for *Noble*, 2,140.

No doubt seems to be entertained, adds the *Journal*, of the election of Mr. *Noble* by a large majority. Nearly all of Mr. *Kinnard*'s congressional district, in which, previous to the election, the Jackson men claimed a majority of 1,500 votes, has been heard from, and not a county has given Mr. *Read* a majority; but on the contrary, *Noble*'s majority exceeds 1,300, and it will be increased by the other counties.

[We have further returns shewing 23,042 votes for Mr. *Noble*, and 16,972 for Mr. *Read*—together 40,000 votes, which seems a heavy poll, and gives N. a majority of 6,070. An *Indiana paper* goes further, and counts up a majority of 8,120—another says it will be from 10 to 12,000; and the *Louisville Journal*, on giving a number of the returns, expresses an opinion that Mr. *Noble*'s majority will exceed 15,000. It is asserted that Mr. *Read* would hardly obtain a majority in a single county in the state—which would seem possible from the counties before us for which the returns are given.]

We have some general notices of the results of the elections in *North Carolina*, but neither party seems to understand the real state of political feeling thereby indicated, and it is thought by some, who are best informed on the subject, that the political preferences of the members elected will not be accurately known until after the meeting of the legislature. The *Fayette Journal* has the returns from 4 counties, and says that 11 out of the 12 members chosen are administration, but the *Newbern Spectator* observes that of 25 members elected in that and the neigh-

boring counties, 19 are avowed anti-Jackson men. This is Mr. *Speight*'s congressional district.

There are some rumors of results from *Illinois*. They have the same general political aspect as those from *Indiana*—against the administration; but nothing is positively stated on the subject.

There has been a sharp contest in *Missouri*, but the question seems to have an immediate relation to certain proposed alterations of the constitution. In *St. Louis* county, six opposed to, and two in favor of those amendments, have been chosen members of the legislature. Mr. *Barton*, formerly of the senate of the United States, is one of the six.

Pretty full accounts are received from *Kentucky*. Mr. *Leitcher*'s exact majority over Mr. *Moore*, is given at 258, in the *Frankfort* "Commonwealth." From the same paper we also learn, that the senate consists of 38 members. Senators are elected for four years—one-fourth of whom go out of office annually. This year 10 went out of office—4 of whom were for Jackson, and 6 were whigs. There are also three vacancies, two by death and one by resignation—two of these vacancies were whigs, and the other a Jacksonian. The state of parties in the senate, last year, was 20 Jacksonians and 18 whigs. So far as heard from this year, the whig party have twenty in the senate and the Jackson party sixteen—and two yet to be heard from. The house of representatives consists of 100 members: returns of the election of eighty-six are received, and they stand 71 "whig" and 15 "Jackson." It is freely said that the latter party will hardly exceed 20 in the house. The names of the elected are given, and in most cases, statements of the votes taken are added. The *Lexington Intelligencer* says that *Washington* county, which gave to gen. Jackson a majority of 1,000 in 1828, has now elected anti-Jackson representatives by a majority of 300 votes. It is quaintly suggested, that this result was caused by the large number of persons detached to vote for Mr. *Moore*, in *Mercer* county! not their own county, nor their own congressional district. The vote in *Mercer* county was about 400 more than ever before given.

The counties, with the city of *Louisville*, which compose Mr. *Pope*'s congressional district, are said to shew an aggregate majority of more than 2,000 against him and the administration which he supports.

There are rumors of the result of the elections in eleven counties of *Alabama*—ten of which are said to have gone against the administration. We think that there is some mistake in this matter, though the opposition in that state is said to have recently acquired strength.

There are two full tickets out in *Georgia* for congress—they are called the "Jackson Forsyth," and "Troup or state rights," and opposed to the administration, which Mr. *Troup* has denounced as "vicious and corrupt," in a reply to a late invitation to a public dinner. The contest will probably be a severe and close one.

## ITEMS.

*Edward Everett*, esq. of Massachusetts, has resigned his seat in congress, and Mr. *McDuffie*, in an address to his constituents, declines a re-election, and intimates that he will also resign, unless there is a speedy improvement in the state of his health. These gentlemen will be much missed in the house.

Mr. *Wilkins*, our new minister for Russia, left *New York* on Saturday last for *Liverpool*, on his way to the court of the great autocrat of the north.

Died—at his residence, near *Charlestown*, (*Indiana*), on Saturday, July 26th, *Jonathan Jennings*, esq. the first governor of *Indiana*, and for many years a member of congress from the same state, which, whilst still a territory, he for several years represented as a delegate to congress.

United States bank stock sold at *New York*, on Saturday last, at 110 a 110½.

[We never yet made a money-speculation—or bought or obtained any thing out of the immediate range of our own regular business, unless with a view to our own holding or direct use of it—but if we had money, would like an investment in the stock of this bank, at the advanced rate given—whether it lives or dies. If the latter, it will "cut up" well. It is stronger, in its own proper means, than the bank of *England*.]

It is announced in the "Globe" that the "Girard bank," at *Philadelphia*, has been re-appointed "a deposit bank for the treasury department."

Between the 6th and 16th inst. 150 tons of produce were forwarded from *Wheeling* to *Baltimore*.

The repairs of the *Cumberland* road, under the late act of congress, are about to be prosecuted with energy. The contractors, at both ends of the line, *Cumberland* and *Wheeling*, have commenced operations.

*Mexico* is reaping a harvest of "glory" in the contests of her generals, and through the intrigues of her priests. The people are killing one another without much ceremony. *General Santa Anna* appears on the highway to a throne. He has an army of officers fighting for spoils.

We shall soon learn the effects of the abolition laws of *Great Britain*. There are rumors that unhappy events were expected—that the slaves had said they would not work, &c.

Belzoni found in the northern places of Egypt, as Hornemann had done before, the tops of the mountains of the desert encrusted with salt, and wells of sweet water rising out of a surface overpread with masses of it. Herodotus relates the same fact, 2,200 years before.

A lump of silver was obtained lately in the silver mines of Konigsburg, which is perhaps the largest ever seen. It weighed  $\frac{7}{8}$  cwt. and is estimated at the value of 13,000 dollars in specie.

Madame Malibran has recently entered into an engagement with the Milan opera for five years. According to its tenor, she receives a house, a table with six covers, an equipage, and £14,000—say 60,000 dollars.

FOREIGN NEWS.

From Liverpool papers to the 17th, and London to the 16th July, both inclusive.

GREAT BRITAIN AND IRELAND.

Lord Grey's administration had been deranged in consequence of the resignation of lord Althorp, which grew out of a communication made by Mr. Littleton, the secretary for Ireland, to Mr. O'Connell, of a difference in the cabinet as to the form of renewing the coercion bill. It appears from the debates consequent on the announcement of the resignation of lord Althorp, the chancellor of the exchequer, and of earl Grey, the prime minister, that, on the subject of the coercion bill, a division had existed in the cabinet, earl Grey and a portion of its members, differing with lord Althorp and three others, as to the propriety of withdrawing the clauses authorising the holding of military courts martial from the bill, in its renewed form; that on consultation privately by lord Grey with the lord lieutenant, the latter had made a confidential communication, in which he gave it as his opinion that the clauses alluded to might, in the present circumstances of Ireland, be omitted. Upon the receipt of this intelligence, it was agreed by ministers to renew the bill in that form, and it was reported accordingly. Previous to the final action on the bill, Mr. Littleton informed Mr. O'Connell of the character of the difficulties which had existed among ministers, and of the cause of its adjustment; whereupon Mr. O'Connell called for the production of the private and confidential letters which had passed between earl Grey and the lord lieutenant. This at once made known to lord Althorp the nature and extent of the disclosure which had been made, and, as it placed him in the awkward position of advocating in public, a measure which in private he had opposed, he signified his desire of resigning, in which he was gratified. This led to the resignation of earl Grey, which had been accepted by the king, who then authorised lord Melbourne, the home secretary, to organize a new ministry, he himself to be the premier; and it is understood that lord Althorp would take office under him. Lord Brougham retains his post.

In the house of commons on the 9th July, after lord Althorp had explained his reasons for the step he had taken, Mr. Littleton, the secretary for Ireland, who had been alluded to as the person who made the communication in question, rose, and after expressing the profoundest sentiments of regret at having been the author of the indiscretion, which had led to such unexpected and disastrous results, remarked—"No individual in this house was ever placed in a more painful situation than I now find myself placed in. I have committed two errors. I have committed, first, the error of having had a communication with the honorable and learned gentleman opposite (Mr. O'Connell) without the sanction of the head of his majesty's government, and I have committed the further and greater error, in placing confidence in one who has proved himself so ill deserving of it."

Mr. O'Connell said, "he would infinitely prefer that a double share of the blame should be thrown upon him than that any should be cast upon the right honorable gentleman." "He did not rise to vindicate himself, but to remind gentlemen of the situation in which he was placed, and how much his countymen expected of him. It was to preserve the country from danger that he had so acted. He did not act as a private individual. When confidence was reposed in him he felt that he was bound not to mention names; but then the house would recollect that he was to act with others, and to get others to act with him, that he had to manage others; but he would state that in that management he did not utter a word or give a hint to any person of the quarter from which he had received the intimation in question." He concluded by complimenting Mr. Littleton, and the principles of the late members of the ministry, and withdrew his motion which had produced the derangement of the cabinet.

The cholera continued to rage in Dublin with unabated violence, and indiscriminately carried off the rich and the poor, within a few hours after they were attacked. Great distress prevailed in Thurles and Tipperary, Ireland. Out of a population in the latter place, of 7,000, there were no less than 2,460 in absolute want of all the necessaries of life.

Disturbances, riots and murders continued, and the excitement which led to them was on the increase.

FRANCE.

The elections have resulted thus—there are in favor of ministers 230, opposition 90, no party men 50, Carlists about 12. There had been several destructive storms of hail.

SPAIN.

On the receipt of the news of the movement of general Rodil's army, mentioned in our last, the Carlist Junta of Navarre,

had called out a levy en masse; and it is supposed that that province "would be the theatre of all the horrors and cruelties, to which a civil war, fomented by the fanaticism and egotism of the monks, can give rise to." It was rumored that Don Carlos had escaped from England and arrived in Spain, and that he had granted letters of credit to the amount of 600,000 francs for the use of the Carlist general, Zumalacarrqui, and that he was negotiating a loan in Paris to the amount of 125 millions of francs. The report of his arrival in Spain is discredited. Storms and cholera were doing sad work in Spain.

PORTUGAL.

Don Pedro's health had been bad, but was improving. The meeting of the cortes was looked for with anxiety.

The disbanded volunteers were quietly returning to their homes. The sales of convents and other confiscated property of the priests, gave general satisfaction. Don Pedro had approved the quadripartite treaty. The cholera had reappeared in Lisbon.

BELGIUM.

The citadel of Antwerp is to be immediately repaired. The king and queen of Belgium had arrived in Paris, and left that city on the 11th July for Rouen, where they were to be met by the royal family.

THE CHOLERA, AT NEW YORK.

Board of health, August 12, 1834.

The following communication from the resident physician was read and directed to be published.

No. 19, White street, August 10.

DEAR SIR: I deem it within the scope of my duty to present to you the following communication, of cholera which have been reported since its appearance in this city.

I have visited, with perhaps three or four exceptions, every case which has been reported, and upon a diligent examination into their several histories for some days previously to, and immediately upon, the attack, I am enabled to state, that all but one were justly chargeable to one or other of the three following exciting causes, viz: a culpable neglect of the means ordinarily used for the treatment of diarrhoea in proper season—a disregard of the cautions on the subject of food and drinks; heretofore inculcated for the prevention of the attack—and a reckless indifference on the subject of cleanliness and ventilation, and the dangers arising from excess and exposure, which are known to give occasion to diseases of the bowels at this season of the year more than at any other. More than one half of the cases may be fairly set down to the excessive indulgence in ardent spirits: and of the rest, a part to the indiscriminate use of articles of ordinary food, which, however innocent at other seasons, are known to be deleterious in the excessive heats of summer; and a part to the mistaken prejudices of the patients on the nature of the disease of which they were the subjects. All the above causes operated in a degree, but the first was the most general, since all the patients, excepting only two, with whom I conversed, invariably admitted the existence of diarrhoea from two days to one week's continuance, previously to the development of those symptoms which designate cholera; and in those instances the attacks were preceded by an unwarrantable indulgence in unripe fruits and vegetables, and an injudicious use of the river bath, sufficient at any time to produce cholera morbus.

The histories of the above cases fully accord with the experience of physicians in the summer of 1833, and leave no room to doubt that the disease called cholera would be divested of most of its real danger, and proportionately of its terrors, if due attention was early directed to the derangement of the stomach and bowels. A large part of the danger arises from the insidious manner of the attack, which in many cases passes for slight indisposition, and attracts very little attention. Those symptoms have been usually termed *premonitory*, but they constitute in truth the disease itself; and cholera, as generally understood, marked by rapid emaciation, rice water discharges, cramps, cold sweats, cold tongue, cold and pulseless extremities, corrugated hands and feet, are but the concomitant symptoms of the last stage, and point with almost unerring certainty to the grave.

I have said that in almost every instance, cholera is attended by diarrhoea; of a peculiar character no doubt, because arising from a peculiar cause; nevertheless easily manageable by any intelligent physician; but there are exceptions, where no premonitions are apparent, and in which the most serious and dangerous symptoms are the first evidences of disease; these exceptions, however, are explicable without, in the least degree, detracting from the general truth: they obtain in other diseases common in this country—for example, scarlet fever, measles and intermittent fever. The general character of these diseases is well understood, and they are successfully treated; but it occasionally happens that the first evidences of disease are of the worst kind, and baffle the united skill of the most intelligent medical counsel.

If the facts above stated are received, the deductions from them are obvious. Our first care is to caution the public against all imprudence in the use of food and drinks. The food ought to be chiefly animal, as not only most nutritious, but most easily digested; all unripe fruits and vegetables, whether prepared by cooking or otherwise, are to be avoided; and those which are natured should be taken in moderate quantities, in order to escape one of the most common causes of indigestion. Meats

should be well prepared in the process of cooking, and when so prepared, should never be taken in large amount when they become cold, as they are known to be more difficult of digestion than when warm. Fish may be indulged in moderate quantity, but never in excess. Stale fish, which is a very common article of diet of the poor, and especially of our colored population, ought to be destroyed by the clerks of the markets, that it might in no case be exposed for sale.

All unusual exertion which will induce profuse perspiration, ought to be avoided, by reason of the difficulty of avoiding exposure which will check it. The cold or river bath ought to be used with caution, and in no case when persons are unusually warm. Excessive use of ardent spirits ought to be guarded against with scrupulous anxiety, since a single debauch may result in an attack of cholera, and to persons accustomed to or who frequently indulge in this species of abuse, the attacks must by necessity prove fatal.

If notwithstanding the observance of the above cautions, diarrhoea should occur, immediate recourse must be had to medical assistance: this last recommendation cannot be too seriously impressed upon all classes of the public. The cholera, as it appears among us, is not epidemic; with few exceptions it has chosen its victims from among the imprudent, the destitute and the intemperate; and we have strong grounds to trust that it will not become so; but much depends upon the people themselves, and they should be made to realize the solemn truth "that the exciting causes of the disease are those which to a great extent they may individually control." I am yours, very respectfully,  
**JAMES R. MANLEY, resident physician.**

Hon. Cornelius W. Lawrence, president of the board of health.

**PROGRESS OF THE NEW GOLD COINAGE.**

Having applied to the treasury department for facts on this head, we have been favored with an extract from a recent communication by the director of the mint, which will doubtless be highly acceptable to most of our readers. [Globe.]

Mint of the U. States, Philadelphia, Aug. 16, 1834.

Sir: I forward herewith my weekly return of the state of my account in regard to the prompt payment of mint certificates for deposits of gold. This procedure has been found convenient to depositors, as well as advantageous to the United States. No depositor has desired prompt payment thus far, and been disappointed.

Enclosed is also a succinct statement of the amount of gold deposits for the period commencing 1st June, and ending the 9th inst. with the deliveries of gold coins to that date from the 1st August. The whole amount of deposits accumulated for coinage under the new ratio, is given in this statement.

The amount of coinage up to the 6th, far exceeded the deliveries of coins contained in this statement—a mass having been accumulated on hand to discharge heavy deposits from New York, to be made in the current week, as will appear in the next statement—nearly one hundred and fifty thousand dollars in gold having been forwarded this week to that place.

I have only now to add, that by arrangements involving no disregard of the rights of depositors, all applicants for gold coins to be thrown into circulation, have been supplied—in most instances at once, or at farthest with very little delay. I am very respectfully, your obedient servant,  
**SAM'L MOORE.**

Hon. Levi Woodbury, secretary of the treasury.

Statement of the amount of gold subject to coinage under the new ratio, deposited within the period commencing 1st June, and ending 1st August, 1834, with the whole amount coined to the latter date from August 1st, and the amount of coin delivered.

Gold bullion deposited in June—coinage deferred under an anticipation of the action of congress	\$61,500
Gold deposited in July, and deferred, viz:	
Uncoined bullion	133,300
Coins of the United States	226,300
Foreign coins	47,400
	407,000
Gold deposited from the 1st to the 9th August:	
Uncoined bullion	25,000
Coins of the U. States of former standard	48,000
Foreign coins	3,000
	76,000
	544,500
Whole amount coined from 1st to 9th August	310,000
Remaining uncoined August 9th	\$234,500

**MANUFACTORY OF PUBLIC OPINIONS.**

From the Natchez Courier and Journal.

A view of the interior of a manufactory of "public opinions," under the "protection" of "the government."

Chochooma, May 26, 1834.

Sir: I have taken the liberty to send you a few copies of gen. Jackson's protest, which it is hoped you will distribute, so that the people as far as is convenient will be informed of its contents. The friends of gen. Jackson, throughout the state, have elected delegates to hold a state convention at Jackson, on the second Monday in June, (this day three weeks). Gov. Runnels and all our friends below, are very anxious that delegates from the new counties should also attend this convention. It is hoped you will hold a meeting in your end of the

county, between this time and Thursday week, and select two persons who can go to Jackson as delegates.

If you will advise us of the persons selected we will hold a meeting here and nominate them also. It is also wished that these delegates (that is, as many as are sent from the new counties) confer with the governor, as to the propriety of his ordering an election for members in the next session of the legislature from all the new counties. I have no doubt, myself, but he will do it, if urged by the people. I of the new counties as he has always been a friend to them. I herewith enclose rough draughts of resolutions which have usually been adopted in the lower counties, save that one in regard to Plummer; he had not then made his speech in support of gen. Jackson.

I hope you will write to me by the bearer. Your friend, &c.

(Signed)  
 To Wm. Fanning, esq.

SAMUEL GWIN.

**A COPY OF THE RESOLUTIONS.**

At a meeting of the citizens of Talahatcha county, at the house of ——— on ——— day of ———, 1834, who are in favor of president Jackson, the following resolutions were adopted:

*Resolved*, That we entertain the highest veneration for the character and services of general Andrew Jackson, president of the United States.

*Resolved*, That the recent vote of censure and condemnation, by the senate of the United States, of gen. Andrew Jackson, is an act of unprecedented violence, and an insult to the American people, in the person of their president.

*Resolved*, That we fully approve of the course of president Andrew Jackson, in relation to the bank of the United States, we are opposed to the restoration of the government deposits to said bank.

*Resolved*, That we approve of the course of the hon. F. E. Plummer, he being the only member from the state that truly represents the interests of the people.

*Resolved*, That ——— and ———, be appointed delegates, to the Jackson convention that meets at Jackson on the second Monday in June, to represent the county of Talahatcha in said convention.

*Resolved*, That the proceedings of this meeting be signed by the president and secretary and published in all the papers of this state friendly to the administration.

*Resolved*, That the delegates above appointed while at Jackson confer with such others, as may be elected from the new counties and request his excellency, governor Runnels to order an election, to elect members to represent said counties, in the next legislature.\*

We are all familiar, adds the Courier, with the circumstances under which col. Gwin became a citizen of this state. We have all heard of his appointment to the office of register of public lands, at Mount Salus, when a clerk in one of the departments at Washington city; of his rejection by the senate; of his re-appointment, during the recess of congress, and of his rejection a second time. We have seen the perseverance of the president to keep his friend in office,—of his nomination to the office at Chochooma, of the same col. Gwin. Having obtained the privileges of citizenship, the senate confirmed his appointment.

As register of public lands, at Chochooma, how do we find him employed? In aiding the president, (who gave him his office and means of support), in bringing "the patronage of the government into conflict with the freedom of elections," by calling meetings and manufacturing public opinion, for the adoption of my brethren in office, " &c. &c.

There is no doubt that this matter will be enquired into, and that the president, true to his own original principles of reform, will "reform" col. Gwin—if the preceding statement is true!

**BANK OF THE UNITED STATES.**

From the Journal of Commerce.

The following comparative statement from the returns of the United States bank on the 1st of July and 1st of August, shows in what way the curtailment occurred in July, and vindicates the bank and the committee of merchants from the unworthy imputation which the Globe and other Jackson papers have sought to throw upon them.

The curtailment results from the reduction in southern drafts, which have been paid off, as is usual at this season of the year. The discount lines have been extended in all the principal cities; and the statement of the money market is abundant proof that the wants of trade are fully supplied.

General statement.	1st July.	1st August.
Loans on personal security	29,932,977 23	30,182,503 09
" bank stock	1,031,325 53	1,150,478 23
" other securities	3,459,618 97	3,411,135 67
	34,423,921 72	34,694,116 99
Domestic bills of exchange	16,601,051 00	13,932,049 90
	51,024,972 72	48,626,166 89

\*As the inquiry will probably be made, how these documents came into our possession, we will state that a gentleman sent them to us, with the assurance that they were obtained in an honorable manner.



Baring, Brothers & Co. &c.	3,750,242 00	4,261,201 04
Specie	12,823,997 93	13,626,049 63
Redemption of the public debt	848,581 96	728,292 48
Treasurer of the United States	305,226 67	438,450 27
Public officers	1,521,625 68	1,442,314 30
Individual deposits	6,275,869 70	6,804,633 95
Circulation	16,641,997 90	16,469,342 90
Due from state banks,	2,565,524 28	1,893,752 68
Due to do. do.	2,156,796 94	2,424,724 94
<i>Loans at Boston.</i>		
Loans on personal security	1,216,796 53	1,295,035 66
“ bank stock	43,528 30	40,338 30
“ other securities	34,200 00	25,100 00
Domestic bills of exchange	1,587,621 16	1,826,044 45
Due from other banks	46,398 41	160,506 17
Due to do. do.	81,937 27	371,261 75
<i>Loans in New York.</i>		
Loans on personal security	4,527,193 46	4,775,733 71
“ bank stock	24,100 00	31,400 00
“ other securities	157,998 02	123,433 54
	4,706,291 48	4,930,567 25
	902,917 56	957,245 44
Domestic bills of exchange	5,609,209 04	5,887,812 69
Due from state banks	818,731 09	261,253 47
Due to do. do.	240,646 29	583,054 54
<i>Loans in Philadelphia.</i>		
Loans on personal security	3,298,822 16	3,389,014 09
“ bank stock	228,793 00	256,563 00
“ other securities	2,165,003 40	2,246,584 39
Domestic bills of exchange	5,693,618 56	5,892,161 48
	1,072,040 91	1,200,111 65
	6,764,619 47	7,092,273 13
Due from state banks	722,799 71	644,916 65
Due to do. do.	323,825 94	461,866 01
<i>Loans at Baltimore.</i>		
Loans on personal security	1,827,527 29	1,798,413 37
“ bank stock	116,920 00	113,650 00
“ other securities	50,200 00	50,200 00
Domestic bills of exchange	1,994,647 29	1,962,263 37
	184,281 51	237,516 35
	2,178,928 80	2,199,779 72
Due from state banks	38,967 59	40,119 64
Due to do. do.	99,117 99	84,181 19

deem your whole career in life an encouraging example, by the imitation of which, without the aid of official station or political power, every private citizen may become a public benefactor. Of this happy union of the social qualities and the patriotic spirit of a good citizen, they wish to offer you this permanent memorial, which they pray you to receive, with their best wishes for the continuance of your health and usefulness.

JOHN SAVAGE,  
N. BIDDLE,  
PETER S. DUPONCEAU,  
JOSEPH DUGAN,  
ALEXANDER HENRY,  
SAMUEL RICHARDS,  
JOHN VAUGHAN,

Committee.

JOHN MEANY, secretary.  
To Mathew Carey, esq. Philadelphia.

REPLY.

GENTLEMEN: I want words to express the deep sense I entertain of the kind and friendly feeling to which I am indebted for the very gratifying mark of your esteem, which I have had the honor to receive this day—and, in a most especial manner, for the courteous and flattering terms of the letter by which it is accompanied.

Such a testimonial, from any number of my fellow citizens, however remotely situated, I should highly and deservedly prize—but emanating, as it does, almost altogether from citizens of Philadelphia, a city where I have resided within a few months of half a century, and where I have been on terms of friendly intercourse for ten, fifteen or twenty years, with many of the contributors, by most of whom I must be intimately known—it acquires a greatly enhanced value; and hence I shall always regard the presentation as one of the most precious incidents of my life. I remain yours, very respectfully,  
MATHEW CAREY.

Messrs. John Savage, Nicholas Biddle, Peter S. Duponceau, Joseph Dugan, Alexander Henry, Samuel Richards, John Vaughan, and John Meany, esqrs.  
Philadelphia, July 4, 1834.

The following is the inscription—

TO  
MATHEW CAREY,  
FROM HIS SINCERE FRIENDS,  
AS A TESTIMONIAL OF THEIR GRATITUDE  
FOR HIS PUBLIC SERVICES,  
AND THEIR  
Esteem for his Private Virtues.  
July 4, 1834.

The names of the donors, thirty-two in number, are engraved on the plate, which may be seen at Messrs. Wilson's, north Fifth street.

ANTI-MASONS, &c.  
From the Worcester Palladium.  
Worcester, July 31, 1834.

To his excellency John Davis:

SIR: You are undoubtedly aware, that since the organization of the anti-masonic party in this commonwealth, a committee for this county has constantly existed, with instructions to hold such correspondence, and from time to time to make such communications to the members of the party and to the public as in their judgment the common good might require. Upon a recent and very full consultation with the members of the committee, I have been requested as their organ, to submit to you in their behalf, the present communication.

We trust that no apology is necessary for the liberty we take in addressing you upon a subject which we deem to be of the highest importance to the public welfare. The measures and the policy of the present national administration have been, and now are, of such character as to awaken in every patriotic mind a strong feeling of solicitude for the preservation of our constitution and laws, and the perpetuity of our republican institutions. This feeling prompts us in this, as in every other political exigency, to look to the ballot box as the true corrective of whatever evil afflicts the country, though the influence of impolitic measures of unskillful, incompetent or corrupt rulers.

In this commonwealth, as you perfectly well know, the opponents of the national administration are divided among themselves on a subject which has no direct reference to the measures of the government; but yet that subject has become so mingled with our state politics as materially to affect the just influence which the people of Massachusetts might otherwise have in our national councils.

It is obvious to every one that the masonic institution is the cause of this division. Must that division necessarily continue? In the present aspect of our affairs having reference alike to public opinion, and the existing laws of the commonwealth upon this subject, is it not reasonable to anticipate that the sentiments of the wily defenders of the constitution will be found to be so far in accordance with those whose motto is “the supremacy of the laws,” as to enable them, at least on great and leading questions of policy, to act in harmonious union with each other?

Knowing your attachment to the principles and form of our government, and the devotion you have often manifested to the

In another part of this sheet, we have offered a few remarks on the increased amount of the funds of the bank in Europe, and the rightfulness of them is shewn in the preceding table, which we did not notice until after those remarks were in type.

The grand aggregate of the loans, for the reason assigned—to wit: the payment of southern drafts, (as is shewn in the line of domestic bills), was lessened considerably, and yet it appears that the bank is indebted to the state banks more than half a million, in the aggregate—but the bank's specie and specie funds were largely increased during the month of July. The “wants of trade” are much restricted, else the funds in Europe would soon be sold, and their proceeds added to the funds at home. There is a general increase of “loans on personal security,” and yet the circulation of the bank is somewhat diminished. The “money market” is very easy, that is, the strongest state banks have obtained confidence from the great strength and liberal proceedings of the bank of the United States, and yet money was hardly ever, within our experience, so scarce as it is now in the ordinary transactions between man and man. We know that many of the most substantial of our dealers and mechanics are hard pressed to meet the demands upon them, though generally doing a more cautious business than heretofore; but it is this caution that, by reducing the circulation of money, makes it “scarce.” Approved notes are freely discounted by the banks—but persons capable of making such notes do not make them freely.  
Ed. Reo.

MATHEW CAREY.

We feel much pleasure in recording the following tribute of respect to the private virtues and public services of our long valued and venerable friend.

A number of citizens having subscribed for a service of plate, for Mr. M. CAREY, it was lately presented to him, accompanied by the following letter:

DEAR SIR: On behalf of a number of your personal and sincere friends, we have the satisfaction of presenting to you the accompanying service of plate, of which they request your acceptance, as a testimonial of their respect for your public conduct, and their esteem for your private virtues. They have long witnessed the unwearied efforts, with which every scheme of private benevolence, and every plan of public improvement, have found in you a zealous and disinterested advocate; and

rights and interests of the people, may we not hope that you will communicate to us, with your usual frankness, your views of the duty of the citizens of this commonwealth at this important crisis?

Many, and we have no doubt a great majority of the anti-masonic party, with which we are associated, and whose agents within a limited sphere we have been and still are, will sacrifice every thing but their principles to bring back the government to its original character, and sustain it on the basis of the constitution. Under the influence of this patriotic sentiment, they will duly recognize a similarity of opinion on the part of those from whom they have heretofore been separated by a contrariety of opinion in regard to an institution, which they believe the public good demands should no longer be among us to disturb our political harmony. With a firm conviction of the integrity of their motives, and the honesty of their intentions, we are fully persuaded, that no minor considerations will prevent their acting on the broad and common ground of opposition to the national administration wherever they can do so without compromising the principles which they believe to be founded in their common right and duty.

We shall be gratified to receive your reply to this communication at as early a day as may suit your convenience; and shall feel an additional obligation for your permission to give publicity to your sentiments. I am, sir, very respectfully, your obedient servant,

PLINY MERRICK.

For and in behalf of the anti-masonic committee for the county of Worcester.

Worcester, Aug. 1, 1834.

Sir: Your favor addressed to me in behalf of the anti-masonic committee for the county of Worcester, was received this day—as the contents relate to the political affairs of the country, and as I stand before the public in the attitude of a candidate for the suffrages of the people, I might excuse myself from a compliance with your request. Perhaps prudence would suggest this course, and I should unhesitatingly yield obedience to that suggestion, if the communication came from those who have honored me with their support. But it originates from a different source. It is courteous in its language, and appears, as far as I can judge, to emanate, not from a spirit of political intrigue, but from an honest desire to advance the public good. As, therefore, those who have addressed me have decided, for themselves, that such a measure is both proper and expedient, I can perceive no violation of any duty, or obligation I owe to my fellow citizens, in making a brief reply, though I am aware that whatever may be said will probably be perverted and misrepresented by those who may think their interests promoted by such a course.

You dwell with much earnestness upon the crisis in our national affairs, and surely it demands the dispassionate consideration of every patriot. A firm union and an active co-operation of all citizens attached to the constitution, and anxious to preserve the substance, as well as the forms of free government, is a duty which each and every one owes to our common country.

Federal power must be restrained to its constitutional limits, and those who exercise it must be held to strict accountability; an accountability which will suffer no abuse or usurpation of power to escape popular condemnation, or the lust of ambition will overshadow the land with tyranny. Our reliance to suppress this kind of temerity, whenever it exists, is upon the voice of the people, the sentence of the ballot box, and the more united the people are, the more efficacious will be that sentence.

I concur, therefore, in the opinion that this commonwealth will not have its just influence in the councils of the United States, unless those who harmonise in their views of public policy can act in concert.

No one laments more than I do the estrangement which we witness. No one has felt more sincerely desirous of restoring mutual confidence; and no one has been, or is, more willing to obey the public will in whatever may be necessary to accomplish so desirable an end.

You observe that "it is obvious to every one that the masonic institution is the cause of this division," and you have been pleased to ask my "views of the duties of the citizens of this commonwealth at this important crisis."

That the public mind is greatly agitated, and that the masonic institution is a disturbing cause admits of no doubt. It is equally clear to my own mind that it is a high and imperative duty which all good citizens owe to the state, to endeavor by all reasonable means and sacrifices to restore public harmony. I fear, however, in making this appeal you over estimate the importance of my humble opinions; indeed in an excited state of sentiment, one can scarcely maintain reasonable opinions without hazarding reproach from the zealous and heated.

Whether this controversy is to continue, and the influence of the state to be impaired by it, must depend on the exercise of mutual forbearance and patriotism. In party conflicts we must not lose sight of our country and its institutions; but must remember we have a constitution, on the preservation of which, depends our political happiness and the best hopes of mankind.

Conciliation did much during the last winter towards surmounting the barriers of separation, and I entertained hopes that it had excited an impulse which would have accomplished much more before this time.

The statute against oaths not authorised by law, was sustained with a unanimity of sentiment, and a patriotic zeal for the

public peace, which gave apparent promise of a voluntary abandonment of the masonic lodges. The bitterness of feeling which had characterised the controversy made some assuaging measure necessary to heal dissension, and none seemed to me so efficacious as this in restoring peace to the public mind, and consequently harmony to our councils. It ought to be done for the good of the country; and I doubt not the spirit of patriotism which has distinguished many of this class of our fellow citizens, will outweigh all attachment to the institution, and lead to a speedy relinquishment of it. This step will entitle those who bring it about to the gratitude of the public. It will be but carrying out the manly feeling which sustained the law of the last session of the legislature, and anticipating immediately the result to which that law must lead.

In expressing these sentiments, I feel assured that I concur in opinion with a great majority of the people of this commonwealth; and, I may add, do but make known in this form opinions which I have long freely avowed. It seems to me no other course could so speedily and effectually tranquillise public sentiment. If, however, discontent should remain, it will be among those only who have concealed reasons for maintaining a controversy, and are opposed to reconciliation.

On the whole, without entering more into the subject, allow me to observe, that much in the spirit of peace has been done, and I doubt not among the calm, considerate and patriotic, whose influences must prevail, there is a disposition to do more; and if this temper is appreciated, if it shall meet with a like disposition for peace, all causes of discontent will soon disappear. It is however as impossible instantaneously to compose intellectual strife as it is to smooth the surface of the agitated ocean. But if there is, as I have no doubt there is, a desire abroad to harmonise rather than irritate, and if there is manly independence enough to follow what the judgment dictates to be right, instead of serving reluctantly in the ranks of party warfare, there can be little doubt that your hopes of tranquillity will soon be realised.

I have now, sir, frankly communicated to you such views as seem to me important, and will close by observing that forbearance and mutual respect will not only restore mutual confidence, but will remove the causes of controversy. With great respect, your obt. servant,

J. DAVIS.

To Pliny Merrick, esq. chairman of the anti-masonic committee for the county of Worcester.

#### THE PRESIDENT AND THE SENATE.

The New York Courier & Enquirer publishes an extract from a speech delivered in the senate of the United States by Mr. Van Buren, the present vice president of the United States, which has a powerful bearing upon the hostilities waged by the president of the United States during the late session of congress, and kept up since the adjournment with great spirit by the organized press—on which the following extracts bear with great severity.

We recommend them to the consideration of the managers of these presses, and to all other persons who are in the habit of speaking of the "corruptions" of the senate, and even of expressing wishes for the annihilation of that body. Some of these may well be startled at Mr. Van Buren's use of the words "whigs and Tories."

Extracts from Martin Van Buren's speech in the senate of the U. States, on Mr. Foot's amendment to the rules of the senate, by which it was proposed to give the vice president the right to call to order for words spoken in debate.

"Who, said he, can be blind to the consequences, that, in the political agitations of the times, may be fairly apprehended from the possession of this power by the vice president? Who cannot see what a tremendous engine it may become in the hands of an ambitious and still aspiring executive? That it may give him, through the agency of his political friend and coadjutor in this body, a complete and irresistible control over the debates of its members, and consequently over the extent and character of the information on public affairs to be given through us to the people?"

"The connexion of the executive with the senate is much closer than with the house of representatives. Upon the subject of treaties, appointments and the whole range of executive business, the senate is almost the only check. It is, therefore, of vital importance that it should be wholly exempt from executive control. This body was looked upon by the framers of the constitution, as a sanctuary for the federal and equal rights of the states, and so framed us to cherish that sentiment on the part of its members. It is here alone that the federal principle had been preserved; a principle valuable to all, but particularly to the small states; for it is in this department alone that their perfect equality is recognised. But where, sir, will be its efficiency, if the doctrine contended for be established? When, hereafter, a senator shall feel it to be his duty to attempt in language which he may think the occasion requires, to arrest encroachment of the executive, or to seek redress by exposing abuses of trust on its part, or that of any of its subordinates, he may find his lips closed, not indeed, as of old, by *gag laws*, but by a power far more effectual. He may perhaps be told, that although it is his right to canvass freely the public acts of the president and his cabinet, it must be done in a manner more decorous; that their motives are not to be rudely scanned and discredited; that debates of that character, having a tendency unjustly to alienate the confidence of the people, are out of

order; that if he will shape his periods according to the prescribed form, and measure the extent and bitterness of his denunciation by the administration standard, he may go on—but if not, he must desist. \* \* \* In his opinion, the senate would be waiting in what it owed to its constituents, to itself, to its true interests and dignity, if it could for a moment lend its sanction to a principle so untenable and so dangerous. *The senate, heretofore, he said, had not been insensible to what belonged to its rights. It was but the session before the last that the executive, in a communication to us, advanced a pretension incompatible with the constitutional rights of the senate. And how was it received? It was not the exercise, but merely the assertion of a power, on his part—an assertion, it is true, wholly unsupported; and, he believed no one would deny, most unwisely put forth. And how, he asked again, had it been treated? Resolutions were introduced denouncing the UNFOUNDED ASSUMPTION AS AN EXECUTIVE ENCRAGEMENT THAT OUGHT TO BE RESISTED. A disposition to do so, and to preserve and maintain the just rights of the body, not on our own account, but in behalf of those who sent us here, was then manifested, that in his judgment reflected the highest honor on the body.*

"In every point of view, said Mr. V. B. in which this subject had presented itself to his mind, it had produced but one sentiment, and that was unqualified opposition to the prerogative claimed by the chair. Although this claim of power is now for the first time made, the principle in which it originates is as old as the government itself. I look upon it, sir, as the legitimate offspring of a school of politics, which has, in times past, agitated and greatly disturbed this country—a school, the leading principle of which may be traced to that great source of the political contentions which have pervaded every country where the rights of man were in any degree respected. I allude, sir, to that collision which seems to be inseparable from the nature of man, between the rights of the few and the many—to those never ceasing conflicts between the advocates of the enlargement and concentration of power, on the one hand, and its limitation and distribution on the other: CONFLICTS WHICH, IN ENGLAND, CREATED THE DISTINCTION BETWEEN WHIGS AND TORIES; the latter striving by all the means within their reach to increase the dominion and influence of the throne, at the expense of the commons and people; and the former to counteract the exertions of their adversaries, by abridging its dominion and influence, for the advancement of the rights and the consequent amelioration of the condition of the people."

#### PHILADELPHIA RIOTS—SECOND NIGHT.

*From the Pennsylvanian, August 15.*

The riots recommenced on Wednesday night with redoubled activity and fury. In consequence of the disturbances of the preceding evening, the city police, under the mayor, were marched just after dark to the southern boundaries of the city, and the police of the districts were also assembled. The rioters, however, did not show themselves in any force until about 11 o'clock, when the peace officers, worn out by the toils of the affray on Tuesday, and not anticipating a second riot, had generally retired.

The onset was made in Seventh street between Shippen and Fitzwater streets. Two three-storied brick houses on the west side, occupied by blacks, were first assailed. The windows and doors were dashed to pieces, the furniture demolished, and the inhabitants dragged from their beds and dreadfully beaten. In the morning one of them was carried to the hospital. The mob then moved on to Baker street, where three frame houses were almost torn to pieces, and completely riddled with stones. The little property of the inhabitants, bedsteads, bedding, &c. was strewn about the streets in fragments. It is not known whether the occupants were much hurt. In Baker below Seventh street, several frame buildings shared the same fate; and in Seventh below Baker street, two other houses were as much injured. The First African Presbyterian church in Seventh street, exhibits serious marks of the fray. The doors are dented and battered, and the window sashes knocked to pieces. The rioters found it impossible to effect an entrance, or the interior of the church would have been demolished.

In Shippen street below Seventh, two large three-story brick houses are reduced to mere wrecks. The doors and window shutters are hanging in fragments, and the houses are thoroughly gutted. A frame house adjacent suffered as badly. The pailings, a small front garden, and the fragments of the buildings at this point exhibit melancholy instances of the fury of the rioters. A small court opposite, occupied altogether by blacks, appears to have been an especial object of attack. Upwards of six houses were here assailed and dealt with as violently as others. In Small street, four or five frame tenements suffered severely.

The damage above described was seen by us, in a hasty walk over the ground yesterday; but we are informed that it is only part of the whole mischief perpetrated. The scene was a melancholy example of mob violence. The furniture of the houses was broken into the smallest fragments; nothing escaped; the bedding was carried into the streets, ripped up with knives, and the contents scattered far and wide. The bedsteads, chairs and table were hacked to chips. The inhabitants who were not fortunate enough to fly at the first approach of the rioters, were treated with brutal cruelty; and we learned that an old inoffensive negro was lying dead from the effects of the treatment he received, in the wreck of his house. Others who were carried to the hospital, it is said cannot survive. Murder is then to be added to the account of the riots in Philadelphia.

Between one and two o'clock the combined police made an effectual rush upon the mob, headed, we believe, by the mayor of the city, and quietness was restored. Ten or fifteen prisoners were made, who were carried direct to prison.

The following particulars are from the afternoon papers of yesterday:

The mob assembled as before, in the Hospital lot. From thence they proceeded in a body to the corner of Small and Sixth street. At this time the crowd must have consisted of nearly 500 persons, generally led from 17 to 20 years old, with a number of men. They appeared to act in accordance with a preconcerted plan generally understood. The white residents in the district extended a light from their windows and the houses thus designated were respected.

Not a house, the dwelling of colored people, was spared. The poor blacks, affrighted at the approaching storm, had fled their houses, and even the city, and took repose by thousands in the fields and woods in the neighborhood of the city.

The mob entered one house where a man, who had not been awakened by his frightened companions, was found in his bed asleep. The rioters in despite of his piteous entreaties for mercy, seized the poor fellow and hurled him out of the window.

Soon after the mob collected at the corner of South and Seventh streets, word was given to march down Seventh street, the police of the city being too strong to permit any breaches of the peace within their boundaries.

On the way down several blacks were inhumanly beaten and dreadfully lacerated. In one house there was a corpse, which was thrown out of the coffin; and another, a dead infant, was taken out of the bed and cast on the floor, the mother being at the same time barbarously treated. The signal words of the mob were "Gunnec," "Punch" and "Big Gun." Robbers were busy, during the disturbance, in pillaging the houses that were attacked.

*The Philadelphia Gazette says:*

"In the course of an hour from the commencement of the riot, the police of the city, headed by the mayor, and the watchmen and constables of the district of Moyamensing and Southwark, assembled near the spot, and made arrangements for attacking the mob. They formed in two divisions, one led by the mayor in person, and the lieutenant of the city watch, and the other by high constable Blaney and captain Bell, and advanced from several points, so as to surround the mob, which by this time numbered from one to two hundred persons. They made a vigorous attack upon the rioters, and at once put the whole body to flight. About twenty persons were captured, and conveyed to the police office. Many of them, we learn, had about them articles of plunder. After an examination before the mayor, they were committed for further hearing."

*From the Philadelphia Intelligencer, Aug. 15.*

Seventeen of the rioters have been apprehended and committed. We never saw a worse looking set of objects, they appeared to be of the most brutish and lowest cast of society. After the rioters arrested last evening were committed to prison by the Mayor, a colored man named William Robinson, took it upon himself to harangue a mob in front of the state house, on last night's doings. He was requested by the police to desist and go away, but pointedly refused, and was at length taken prisoner. The mayor declared, that at this period of excitement he would suffer no mobs to collect, and any one detected in an attempt to collect a crowd, would be vigorously dealt with. Robinson was bound over, in the sum of \$300, to keep the peace, and to stand committed until the bail was procured.

P. S. During the course of last evening an immense concourse of persons from all parts of the city, assembled in the neighborhood of the former riots—several companies of the volunteers are under arms—but up to the hour of closing the paper we had heard of no further excesses.

*From the Philadelphia Inquirer.*

From the same source as well as through other channels, we are assured that notwithstanding the fearful height which the riot reached, and the great destruction of property that followed, the whole affair might have been effectually suppressed by the exertions of twenty or thirty resolute and determined men. This, however, was not done, and the dwellings of inoffending blacks, against whom not a shadow of offence was even alleged, were shamefully abused, the inmates compelled to flee for safety, and their furniture broken up and scattered about the streets. In Shippen street between Sixth and Seventh streets, in Small above Fifth street, and in Mary, Bedford, Baker and other minor streets in that part of the town, the destruction of property exceeds belief—No less than thirty-seven houses, some of them substantial brick tenements, were more or less destroyed, and many of the main rendered entirely uninhabitable. We saw yesterday morning the streets in various directions covered with feathers torn from beds, inahogany sideboards, tables, looking glasses, China ware, chairs, and other household furniture shattered to pieces and lying about in heaps.

THIRD NIGHT.

*From the Pennsylvanian, Aug. 16.*

Extensive preparations were made on Thursday evening by the sheriff, the mayor, and the magistracy of the districts, to give the brutal and cowardly magistrates a warm reception if they dared to attempt a renewal of their outrages of Wednesday night upon the defenceless negroes. The sheriff summoned the posse comitatus, and drafted several hundred active

young men for the suppression of the riots. The first troop of cavalry was called out, and several companies of volunteer infantry, among which were the Washington and Lafayette Grays, provided with ball cartridges. The whole strength of the city police was mustered, and likewise that of the Southwark and Moyamensing police. At an early hour in the evening the various bodies assembled; the civil power of the city making the hospital lot the rendezvous, and the military remaining in the vicinity of the Hall of Independence ready to move at the first alarm.

The crowd was immense throughout the scene of the riots of the preceding evening, but were generally quiet and decorous in their behavior. A slight disturbance took place early in the evening, in front of a three story brick house called Benezet Hall, in Seventh near Lombard street, in which it was reported a body of blacks were collected for defence. Whether that was the case or not we cannot say from personal observation, the house being closed from cellar to garret; but we are informed that at one time the multitude in front, large as it was, valiantly took to their heels before a rush made by five or six men from an adjoining alley. *Savez qui peut*, was the prevailing sentiment, and it was well acted on. This house was the object of especial regard from the afternoon until after midnight. A strong party of police were stationed close at hand, and the people were frequently exhorted to retire, instead of being compelled to do so.—We learn at the police office that several frightened negroes were at a late hour found on the premises.

In walking through the sacked district, large crowds were observed, who were invariably quiet enough; but about ten o'clock, two mounted police officers came galloping up and announced that the rioters were busy in tearing down a frame meeting house, below the Wharton market, at least a mile from the devastations of Wednesday night. The posse comitatus, accompanied by a great concourse, and headed by col. P. A. Brown, marched to the spot; the building lay level with the ground; not a stick was standing; but the rioters had disappeared sometime before. No one was to be seen except the neighbors, who stated that the destruction had been effected with much deliberation and that those engaged in it, after effecting their purpose, walked coolly away. News was then received that two small frame tenements had been torn down in a court running from the lower part of Vernon street, and the posse directed their steps to the place, but arrived too late.

On their way down Second street, the spectators seemed to receive an admonition in the shape of a number of rioters, who hissed, derided and insulted the civil power, and refused to obey the order to disperse. The cavalry were greeted in the same style, and a request to disperse accompanied by a threat of arrest, had no other effect than that of producing a momentary silence, which was changed to howls and scoffs the moment the military moved onwards. Violence, however, was carefully abstained from.

About midnight the populace had generally retired; the streets were perfectly quiet, and comparatively deserted, except a few lingerers about the front of Benezet Hall, in the city, an attack on which seemed to be much desired, and would have taken place, if the rioters, who are as cowardly as they are cruel, could have effected it without danger.

The mayor, however, with an ample force, was rather near the gentry, and they contented themselves with threatening looks. The valor of the ruffians is only equal to the brutal assaults upon the defenceless and sleeping, murdering aged and maiming the aged and infirm, and robbing the poor and industrious negro of his toil-won earnings. Before a score or two of resolute men, they are as submissive as a flock of sheep.

The night passed over quietly; the city force remained until near daylight at the encampment in the hospital lot and the military and district police at their various stations, while the sheriff, the mayor and other officers patrolled from place to place. So ended the third night of Philadelphia riots.

A number of arrests were made, about fifteen being taken on the city side, and no doubt more in the districts.

The negroes of the devoted section have nearly all abandoned their dwellings, nearly every alternate house, amounting perhaps to over a hundred, bearing the deprecatory sign "to let." A large body of them crossed the Delaware on Thursday afternoon, and formed a sort of bivouac in the fields. Others have come into the city, and every kindness extended to them by the public; but hundreds are homeless. The forlorn state of these poor creatures is truly pitiable. Their little property is totally lost, and many were driven from their dwellings, with their children, almost without a rag of clothing; their persons lacerated by the violence of the bloodhounds.

#### ITEMS.

The scene of the chief part of the preceding riots was out of the limits of the city of Philadelphia, but the mayor and his police often crossed the line, in "fresh pursuit" of the rioters—as the law of nations allows!

The colored people, in many cases, appear to have been savagely treated—both in their persons and property, and without respect to age, sex or condition.

The names of many of the persons arrested are given. They were generally bailed by bonds of 1,000 dollars each to appear, &c.

About thirty houses were destroyed, or much damaged, in these riots—two of them being churches. Several were prostrated to the ground.

The condition of hundreds of blacks, driven from their homes, is exciting much attention in Philadelphia. Many were without shelter.

Peace seems restored to the city and its southern precincts; but a strong police was yet kept up to preserve it.

#### URSULINE CONVENT AT CHARLESTOWN, MASS.

We have thought, that for several reasons, a full account of the horrible outrages committed at Charlestown, Mass. terminating in the destruction of the Ursuline convent, at that place, by fire, ought to be preserved. It is the first abomination of the kind, we believe, that ever happened in the United States, and it is proper that a record of all the facts should be made, that easy reference may be had to them a little while hence when the particulars will cease to be fresh on the recollection.

On the 9th August the following paragraphs appeared in one of the Boston papers—

*Mysterious.* We understand that a great excitement at present exists in Charlestown, in consequence of the mysterious disappearance of a young lady at the nunnery in that place. The circumstances as far as we can learn are as follows:

"The young lady was sent to the place in question to complete her education, and became so pleased with the place and its inmates, that she was induced to seclude herself from the world and take the black veil. After some time spent in the nunnery, she became dissatisfied, and made her escape from the institution, but was afterwards persuaded to return, being told that if she would continue but three weeks longer she would be dismissed with honor. At the end of that time, a few days since, her friends called for her, but she was not to be found, and much alarm is excited in consequence."

This was calculated to increase the excitement that had prevailed for several days previous. On which the following was sent to one of the morning papers of Boston on the 11th, but, of course, was not published until the 12th, when all the mischief had been done:

MR. EDITOR: Some excitement having been created in this vicinity by misrepresentations that have come before the public in relation to the disappearance of a young lady from the nunnery in this place, I deem it proper for me to state certain facts that are in my possession respecting the affair.

On the afternoon of Monday, the 29th ult. the lady in question came to my house and appeared to be considerably agitated, and expressed her wish to be conveyed to the residence of an acquaintance in West Cambridge. I lent her my assistance, and, on the succeeding day, I called for the purpose of inquiring the cause which induced her to leave the institution—I was informed that she had returned to the nunnery in company with the bishop, with a promise that she should be permitted to leave it in two or three weeks, if it was her wish. Since that time, various rumors have been in circulation, calculated to excite the public mind, and to such an extent as induced me to attempt to ascertain their foundation; accordingly on Saturday the 6th inst. I called at the nunnery and requested of the superior, an interview with the lady referred to. I obtained it, and was informed by her, that she was at liberty to leave the institution at any time she choose. The same statement was also made by the superior, who further remarked that in the present state of public feeling she should prefer to have her leave.

As it had been currently reported that the lady was not to be found, to allay the excitement in consequence of it, I have thought the above statement due to the public.

EDWARD CUTLER.

Charlestown, August 11, 1834.

But this was published the day preceding the riot:

To the public. Whereas, erroneous statements have appeared in the public papers, intimating that the liberty of a young lady was inappropriately and unlawfully restrained at the convent in this town, and believing that said publications were intended to excite the public mind against that institution and might result in unpleasant or serious consequences, the selectmen considering it their duty to endeavor to allay any such excitement, have at the request of the government of the institution, fully examined into the circumstances of the case, and were conducted by the lady in question throughout the premises, and into every apartment of the place—the whole of which is in good order, and nothing appearing to them to be in the least objectionable; and they have the satisfaction to assure the public, that there exists no cause of complaint on the part of said female, as she expresses herself to be entirely satisfied with her present situation, it being that of her own choice, and that she has no desire or wish to alter it.

THOS. HOOPER,  
ABIJAH MONROE,  
SAMUEL POOR,  
STEPHEN WILEY,  
JOHN RUNEY, } selectmen.

Charlestown, August 11, 1834.

From the Boston Daily Advertiser of August 13.

*Disgraceful outrage.* We are called on to record one of the most scandalous acts of popular violence which we ever perpetrated in this community. We announced in a paper ever per-petrated in this community. We announced in a paper yesterday morning, dated at a quarter past one o'clock yesterday morning, that the Ursuline convent at Charlestown, was then in flames; having been set on fire by a mob assembled for the purpose. The convent is situated on Mount Benedict, at the distance of about a mile from the central portion of Charlestown, and two or three miles from the city. The principal

building was an edifice of brick, about eighty feet in length, and four stories high. Among the other buildings were a farm house and cottage. The inmates of the convent were the lady superior, five or six nuns, three female attendants, and from fifty to sixty children, placed there by their friends, principally Protestants, for the purpose of instruction.

At a little after eleven o'clock on Monday night, an alarm of fire was given in this city and the neighboring towns, produced by the burning of several tar barrels in the neighborhood of the convent. It appears that this must have been a preconcerted signal for assembling, among the mass of citizens who would be collected, a large number of whom had entered into a combination for the destruction of the convent. A party of fifty to a hundred persons, disguised by fantastic dresses and painted faces, assembled before the convent, and after warning the inmates, who had all retired to rest, by loud noises and threats of violence to make their escape, proceeded to make an actual assault upon the house. The ladies of the convent, alarmed by these threats of violence, immediately awoke the children under their charge, and with them retreated from the rear of the house through the garden, and made their escape to some of the neighboring dwellings. The assailants pressed the evacuation of the house with such haste, that it is said they laid violent hands on the lady superior, to hasten her movements. The distress and terror of the scene were heightened by the solicitude of the nuns for one of their number, who is confined to her bed by a disease from which she is not expected to recover.

The assailants forced open the doors and windows of the convent, carried most of the furniture, among which were three piano fortes, a harp, and other musical instruments, into the yard, and then destroyed it. At about half past 12 o'clock they set fire to the building in the second story, and in a short time it was entirely destroyed.

A great number of persons were assembled at the spot, and were witnesses of these transactions. We are unable to account for it, that no measures were taken to repress them. We do not learn that any magistrate or police officer came upon the ground. Several fire companies from this city, from Charlestown, and from Cambridge, repaired to the scene on the first alarm, and when they ascertained the cause of the alarm, a part of them returned home. A number of the fire companies however were present during the conflagration, and the effectual measures which were taken to suppress it, appear to have been overruled by the great number of persons assembled, many of them evidently from a distance, for the apparent purpose of encouraging and aiding the work of destruction.

Besides the nunnery several other buildings belonging to the establishment were also burnt. The fire was deliberately communicated to the chapel, to the bishop's lodge, the stables, and the old nunnery, a large wooden building situated at a short distance from the others. It is asserted also, that the cemetery was opened, and its contents taken out and exposed to view. The work of destruction was continued until day light when the mob dispersed.

Having thus described as accurately as we are able this act of lawless violence we find it difficult to account for the excitement which has caused it, and still more so to find any facts which can serve as an apology for the act, or any palliation of its enormities. We will, however, relate the circumstances which have led to it, as far as we are able to ascertain them.

In one of the papers of Friday last, it was stated that great excitement prevailed in Charlestown, in consequence of the mysterious disappearance of a young lady in the nunnery; and the following was given as an accurate account of the circumstances, as far as the editor could ascertain them. That the young lady had been sent to the nunnery to complete her education, had become so pleased with the place and its inmates, as to be induced to take the black veil; that she subsequently became dissatisfied and made her escape from the institution, but was afterwards persuaded to return, being told that if she would continue three weeks longer, she would be honorably discharged; that, at the expiration of that period, her friends called for her, but she could not be found. This statement was copied into another paper of the following day, accompanied with a declaration, given on the authority of bishop Fenwick, that it was unfounded. It was added that the bishop would probably lay before the public the facts of the ease on Monday; in the meantime, the editor stated that the excitement was occasioned by the language of a sister of the convent, who was an invalid, and had been for some time deprived of her reason by brain fever.

The same paper of Monday observed, that considerable excitement continued to exist, notwithstanding what had been stated on the authority of bishop Fenwick, on Saturday; that the editor expected to have been able to lay before the public the facts of the ease, on the authority of the bishop, but had since learned that he, understanding that a gentleman of Charlestown residing near the convent, and who was not a Catholic, having interested himself in the matter, and being satisfied that none of the rumors which occasioned the excitement were true; proposed to make a public statement, had preferred to let the facts be given to the public, by one who could not be accused of partiality, and had accordingly waited for that gentleman's statement. Having heretofore made no allusion to these rumors, we have thought it expedient to state what has already been published in regard to them. They may have had some share in producing the riot, but we are inclined to believe that it is principally to be attributed to more remote causes.

*From the Boston Gazette.*

The number of persons assembled as actors in this scene of destruction, or spectators, has been computed at some thousands. But no attempt was made to restrain the mob in their acts of violence. Not a magistrate nor police officer was to be seen. Engines from Charlestown, Boston, and we believe from Cambridge, were on the spot, but no effort was made by the firemen to extinguish the fire, although col. Amory made several laudable but fruitless attempts to bring up the fire engines, and stop the progress of the flames.

This act of violence appears to have been without excuse. It is said by bishop Fenwick, that there was no cause for the excitement in Charlestown, which has prevailed for some time past, and which has been increasing, until this shocking result is produced. But even if there was cause for the excitement, it should be recollected that we live in a country of laws, where all classes of citizens may find redress under oppression. And if an act of oppression and violence had been committed by the government of the nunnery, on a young and unprotected female, ample redress could have been obtained without resorting to an act of violence, which has not been equalled in New England, since the establishment of the republic.

The nuns, and those of the pupils whose relatives do not reside in the neighborhood, are now quartered with the Sisters of Charity in Hamilton street. Mr. Cutter, we understand, gave an asylum to a large number of them during the night. We are told this afternoon by one of the pupils, that the only one of their number who saved any clothing, was a little girl of about 12 years of age, who had picked up some dresses in a large handkerchief some time before the alarm was given, supposing there might be trouble sooner or later, and carried them away in safety. We cannot learn, indeed, that any of the children were personally injured or insulted in any manner.

*From the Atlas.*

We understand that on Monday the convent was opened to visitors, and was thoroughly examined from the helmy to the cellar; that the lady superior has always been willing to make every explanation to those who came to her in a suitable manner, and treated her with the civility due to her sex and station. From all we can learn, the violence was utterly without cause. The institution was in its very nature unpopular, and a strong feeling existed against it; but there was nothing in the vague rumors that have been idly circulating, to authorise or account for any the least act of violence. We should state, perhaps, that during the violent scenes that were taking place before the convent—while the mob were breaking the windows and staying in the doors of the institution—and while the fire was blazing upon the hill as a signal to the mob—one or two muskets were discharged from the windows of the nunnery, or some of the buildings in the vicinity.

What a scene must this midnight conflagration have exhibited—lighting up the inflamed countenances of an infuriated mob of demons—attacking a convent of women, a seminary for the instruction of young females; and turning them out of their beds half naked in the hurry of their flight, and half dead with confusion and terror. And this drama, too, to be enacted on the very soil that afforded one of the earliest places of refuge to the puritans of New England—their selves flying from religious persecution in the old world—that their descendants might wax strong and mighty, and in their turn be guilty of the same persecution in the new!

We remember no parallel to this outrage in the whole course of history. Turn to the bloodiest incidents of the French revolution—roll up the curtain that hangs before its most sanguine scenes—and point us to its equal in unprovoked violence, in brutal outrage, in unwarthard iniquity. It is in vain that we search for it. In times of civil commotion and general excitement—of confusion, and cruelty, and blood—when the edifice of civil society was shaken to its base and crumbling into ruin—when the foundations of the great deep were broken up, and rapine and fire and murder were sweeping like a torrent over the land—in times like these there was some palliation for violence and outrage—in the tremendously excited state of the public mind. But here there was no such palliation. The courts of justice were open to receive complaints of any improper confinement, or unauthorised coercion. The civil magistrates were or ought to be on the alert to detect any illegal restraint, and bring its authors to the punishment they deserve. But nothing of the kind was detected. The whole matter was a cool, deliberate, systematized piece of brutality—unprovoked—under the most provoking circumstances totally unjustifiable—and visiting the citizens of their own, and most particularly its magistrates and civil officers, with indelible disgrace.

*From the Boston Morning Post.*

At this moment, (that of the attack), the convent contained twelve nuns and fifty seven female scholars, some of whom were of a very tender age. One of the latter informed us, that at the first annunciation, all, or nearly all, the nuns swooned, and were not aroused to a sense of their dangerous situation, until the heralds of destruction returned and reiterated their mission, with threats of burning the nuns with the building. The unfortunate ladies then retired to the garden, carrying with them such articles of value as were within reach. In order to accommodate their flight, tar barrels were brought near to the walls, and ignited, and as soon as the building was deserted, the assailants entered with flaming torches, and after flying through the apartments, which were fitfully illuminated by the

transient but glaring blaze of the torches, they were simultaneously applied at twenty distinct points, among the curtains and drapery of the rooms, and instantly the interior of the institution was enveloped in one general conflagration. The astounded refugees first gathered round the tomb, at the bottom of the garden, but were soon driven from this sanctuary by the ruthless avengers of an imaginary wrong, and were compelled to fly to the adjoining fields and neighboring houses for safety. A large number found a retreat in the house of Mr. Joseph Adams, at Winter Hill. The mob burst open the tomb and ransacked the coffins, but retired without offering any other outrage to the ashes of the dead. The torches were applied about 11 o'clock, and the Boston engines, responsive to the tocsin of alarm, immediately repaired to the spot, but were prevented from acting against the fire, by the surrounding multitude, which, we are informed, were not less than four thousand in number. We understand that Mr. Knesey attempted to read the riot act, but without effect; and the mobocrats did not cease from their exertions till the main building, together with the chapel, out-houses, and even the gardener's dwelling were entirely destroyed. The few articles that the nuns and scholars succeeded in conveying to the garden, were seized upon by the destroyers, and thrown back into the flames, and nothing was rescued from ruin except what was actually attached to their persons. When the notorious undertaking was thoroughly accomplished, fragments of fire and combustibles were collected, and a bonfire lit up as a signal of triumph. A majority of the scholars were Protestants, some of whom have no relatives in this vicinity, and their distressing situation, being stripped of every thing, is indescribably lamentable.

The theatre of the outrage, yesterday morning, presented a melancholy scene—parents anxiously, but without avail, inquiring for their daughters, and brothers for their sisters—were to be met with on every hand. Thousands of spectators thronged the hill—some staring, more sorrowing, and a miserable few rejoicing at the evidence of unparalleled desolation.

#### Great meeting at Faneuil Hall.

As soon as the transactions which we have above described were known in the city, yesterday morning they produced, as might have been expected, a universal sentiment of regret and mortification, at the outrage thus committed at midnight upon a family of defenceless females, and at the indecible stain thus inflicted on the character of our community. The mayor promptly issued a notice, inviting the citizens to assemble at Faneuil Hall, at 1 o'clock, to take such measures as the occasion might require. A very large number of citizens assembled at the appointed hour, notwithstanding the heat of the weather, and the measures recited in the annexed official account were adopted with great unanimity, and with ample demonstrations of cordial approbation. The remarks of Mr. Otis were listened to with great satisfaction, and elicited the repeated plaudits of the assembly.

At an overwhelming meeting of the citizens of Boston, assembled at Faneuil Hall yesterday at 1 o'clock in pursuance of an invitation from the mayor, Theodore Lyman, jr. the mayor of the city, was called to the chair, and Zebedee Cook, jr. was appointed secretary. After a pertinent but brief address by the chairman, explanatory of the objects of the meeting, resolutions were presented by Josiah Quincy, jr. prefaced by some highly interesting and animated remarks. He was followed by Harrison Gray Otis, in his usual felicitous style, when the resolutions were unanimously adopted.

**Resolved**, That in the opinion of the citizens of Boston, the late attack on the Ursuline convent in Charlestown, occupied only by defenceless females, was a base and cowardly act, for which, the perpetrators deserve the contempt and detestation of the community.

**Resolved**, That the destruction of property and danger of life caused thereby, calls loudly on all good citizens to express individually and collectively the abhorrence they feel of this high handed violation of the laws.

**Resolved**, That we, the Protestant citizens of Boston, do pledge ourselves collectively and individually, to unite with our Catholic brethren in protecting their persons, their property, and their civil and religious rights.

**Resolved**, That the mayor and Aldermen be requested to take all measures consistent with law, to carry the foregoing resolutions into effect, and as citizens, we tender our personal services to support the laws under the direction of the city authorities.

**Resolved**, That the mayor be requested to nominate a committee from the citizens at large, to investigate the proceedings of the last night, and to adopt every suitable mode of proceeding the authors and abettors of this outrage to justice.

The following committee was nominated by the mayor:

H. G. Otis, John D. Williams, James T. Austin, Henry Lee, James Clark, Cyrus Alger, John Henry Oliver, Mark Henley, Charles G. Loring, C. G. Green, Isaac Harris, Thomas Perkins, Jno. Rayner, Henry Gassett, Daniel D. Brodhead, Noah Brooks, H. F. Baker, Z. Cook, jr. George Darracot, Samuel Hubbard, Henry Farnam, Benj. F. Hallet, John C. Simpson, John Cotton, Benj. Rich, William Sturgis, Charles P. Curtis.

On motion of Mr. George Bond, the committee of 28 were requested to consider the expediency of providing funds to repair the damage done to the convent, &c.

On motion of John C. Park, esq. it was

**Resolved**, That the mayor be authorised and requested to offer a very liberal reward to any individual who, in case of fur-

ther excesses, will arrest and bring to punishment a leader in such outrages.

THEODORE LYMAN, jr. chairman.

Zebedee Cook, jr. secretary.

Great meeting at Charlestown.

We are gratified to be able to announce, that the authorities of Charlestown, yesterday morning, promptly issued a general notification, calling a public meeting for the purpose of obtaining an expression of the opinions and feelings of the citizens at large, respecting the atrocious and unexampled act of violence and arson, perpetrated on the convent, on Monday night; in pursuance of which a very full meeting was assembled at the Town Hall, about three o'clock in the afternoon, and was duly organized by the appointment of Dr. Thompson as moderator, and D. Dodge, esq. town clerk, secretary.

On motion of John Suley, esq. it was

**Resolved**, That a committee of five persons be appointed to report such resolutions as it may be expedient for the town to adopt, and to nominate a committee of vigilance.

Whereupon, the following persons were appointed on the said committee:

Hon. E. Everett, capt. Whipple, John Soley, esq. rev. Mr. Byrne and John Skinner, esq.

The rev. Mr. Byrne, (Catholic priest), was excused at his request, and William Austin, esq. appointed in his place.

This committee retired from the hall, but soon returned, and reported the following preamble and resolutions:

Whereas, the Ursuline convent, in this town, was attacked last night by a riotous and lawless assemblage, its peaceful and unoffending inmates—consisting exclusively of women and children—driven out, and the convent, after being pillaged, was, with the adjacent buildings, reduced to ashes; therefore,

1. **Resolved, unanimously**, by the citizens of Charlestown, in town meeting assembled, That we regard with feelings of indignation and horror, the aforesaid lawless acts of midnight violence, committed within the limits of the town.

2. **Resolved, unanimously**, That the citizens here assembled consider it a duty to themselves, and the town, to take all proper measures to ascertain the authors and perpetrators of the aforesaid acts of violence and outrage, committed in a manner unexampled in our country—in defiance of the laws, and in violation of those feelings of honor and humanity, by which the innocent and defenceless are placed under the protection of all good citizens.

3. **Resolved**, That it is the incumbent duty of all good citizens, to co-operate with the selectmen and magistrates in detecting and bringing to justice all persons concerned as perpetrators and abettors of outrages so discreditably to the community in which we live, and to the country at large.

4. **Resolved**, That the following persons be appointed a committee of vigilance, whose duty it shall be, in conjunction with the selectmen, to take such measures as may be necessary to preserve the public peace, and to detect the perpetrators of the outrages last night committed, viz: gen. N. Austin, Jos. Tufts, esq. David Devans, esq. J. K. Frothingham, esq. capt. L. Turner, Dr. A. R. Thompson, capt. Jos. F. Bynd, Benjamin Thompson, esq. Dr. Jos. Stearns Hurd and William Sawyer, esq.

Resolutions were also passed, authorising the committee of vigilance to offer a suitable reward, not exceeding \$1,000, for the detection of the projectors of the conflagration, to be paid in proportion to the degree of guilt proved against the offenders, and requesting the governor of the commonwealth to offer a suitable reward for a similar purpose.

All the votes and resolutions were passed with great unanimity, and hearty expressions of approbation, and the meeting was addressed by a number of the most respectable citizens of the town, who all manifested the liveliest sensibility upon the subject, and evinced a warm and sincere desire to see the honor of the town vindicated, by taking the most efficient measures to bring the guilty to justice. The rev. Mr. Byrne, Catholic priest, made some just and pertinent remarks, and assured the meeting that he had used, and he hoped effectually, the most untiring exertions to prevent a reaction on the part of the Catholics, and he was listened to with marked and approving attention.

Dr. Walker also spoke at some length, and to the purpose, respecting the necessity of penetrating into the secret conspiracy which must have preceded the execution of the diabolical plot; and Mr. Everett, after reading the resolutions, drawn up by himself, made a few brief, but energetic remarks, and the resolutions were carried *non. con.*

From the Boston Gazette.

Fears were entertained yesterday that there would be fresh disturbances last evening. It was reported that the Irish laborers on the Worcester, Lowell, and Providence rail roads were on their way to the city in great numbers, for the purpose of aiding their Irish brethren in avenging the insult that was offered to them by the destruction of the Catholic seminary at Charlestown. It is true, we believe, that several hundred of these laborers arrived in the city last evening; but we have heard of no acts of violence on their part, or from any other quarter. The evening passed off quietly, at least so far as the city is concerned, although the streets were thronged until a late hour. We have rarely seen so many people abroad as there were last evening.

Much credit is due to bishop Fenwick, for the exertions he made to dissuade the Catholics from all acts of retaliatory violence. He despatched five or six priests in different directions,

during the afternoon, to intercept the laborers who were known to be on their way to Boston, and to instruct them not to raise a finger in defence of what they consider their violated rights. This was a judicious movement, considering the unparalleled state of excitement into which our citizens have been suddenly thrown by the outrageous conduct of a portion of the people of Cambridge and Charlestown.

We understand that all the independent light infantry companies were under arms last night, prepared with ball cartridges to act in any emergency which might require their services. Hundreds of respectable citizens were also "on hand," to aid the civil authorities. Most sincerely do we hope there may be no occasion for them to act.

So great was the excitement among the catholics yesterday, that bishop Fenwick deemed it necessary to call them together in the afternoon, at the church in Franklin street. At 6 o'clock, several hundred were assembled, when the bishop came in and addressed them for about thirty minutes in a most eloquent and judicious manner. He deserves the warmest commendation from his Protestant fellow citizens for the admirable style in which he managed this business. Previous to speaking, the bishop read a part of the 5th chapter of Matthew, containing the following among other verses:

"Ye have heard that it hath been said, an eye for an eye, and a tooth for a tooth. But I say to you, not to resist evil; but if one strike thee on thy right cheek, turn to him also the other.

"And if a man will contend with thee in judgment, and take away thy coat, let go thy cloak also unto him. And whosoever will force thee one mile, go with him other two.

"You have heard that it hath been said, thou shalt love thy neighbor, and hate thy enemy. But I say to you, love your enemies, do good to them that hate you; and pray for them that persecute and calumniate you."

Bishop Fenwick then proceeded to address his hearers, embracing several hundred of both sexes. He spoke of the destruction of the Ursuline convent and the adjacent buildings. He spoke also of the beauty and utility of that institution, and alluded to its growing popularity among the intelligent classes, both in this vicinity and at a distance. Among the pupils of the institution were some from Louisiana, and the West India Islands. After denouncing the conduct of the incendiaries in appropriate terms, he asked, "what is to be done? Shall we say to our enemies you have destroyed our buildings, and we will destroy yours? No, my brethren, this is not the religion of Jesus Christ—this is not in accordance with the spirit of that blessed religion we all profess. Turn not a finger in your own defence, and there are those around you who will see that justice is done you."

The bishop then complimented the city authorities and others for the stand they had taken in defence of the rights of the Catholics; and he assured his hearers that they had the sympathies of all respectable citizens. The destruction of the convent, he said was an act of the most degraded of the human species, and it met with no favor from the intelligent people of Boston. He impressed upon the minds of his Catholic brethren the fact that it was not their duty to seek revenge for this vile act; and said that that man was an enemy to the religion he professed, and would put the Catholic church in jeopardy, who should raise a finger against their opponents at this time.

The bishop said he had no fears that those who were present would act in opposition to his advice; and if any acts of violence were committed, it would be by those who, with, perhaps, a commendable ardor and alacrity, were rushing to their aid from a distance, and who may not have correct information on the subject. He enjoined it upon all present as a solemn duty to inform these individuals—if they should fall in with any of them—of what he had said, and the advice he had just given them.

He concluded his admirable remarks—which were delivered in a most impressive manner—by assuring his hearers that the public authorities were not idle spectators of what was passing. They are on the alert, (said he) and it is our duty to remain quiet, to remain peaceable, and they will see you righted.

We hope the bishop will furnish us with a copy of his address for publication. It would be read with a high degree of satisfaction by his Protestant fellow-citizens.

The value of the buildings destroyed at Charlestown on Monday evening is estimated at \$30,000. They cost that sum. The furniture of the principal house was elegant and costly, and was probably worth about as much more. There were ten or twelve piano fortes, some of them splendid instruments—three harps, one of which cost \$500—and five guitars, among the articles destroyed. The females lost all their clothing, except what they had on when they flew from the incendiaries. The above facts were obtained from a source that may be relied on.

The report that a member of one of the Boston fire engines had something to do with setting fire to the Catholic building in Charlestown on Monday evening, turns out to be false, as might be expected from the well known character of our firemen.

At 11 o'clock last evening the city was quiet, and we had heard of no act of violence in Charlestown. The city council were in session, and there was a strong police in attendance. The military were at their armories in Faneuil Hall. In the vicinity of the Catholic church there was a gathering of five or six hundred persons; and in other parts of the city there were large collections, but no disposition to do any act of violence. We hope the night will pass off without further trouble. Hundreds of respectable citizens are on the alert to render assistance, if any should be required. Every Bostonian blushes for the conduct of those deluded men of Middlesex county who set fire to the Ursuline convent.

#### MEETING AT CAMBRIDGE.

At a meeting of the citizens of Cambridge, holden at the Town Hall in said town on Wednesday, the 13th day of August, A. D. 1834, pursuant to a recommendation of the selectmen of the town to express the opinion of the town in relation to the late destruction of the Ursuline convent at Charlestown, William J. Whipple, esq. was called to the chair and John P. Tarbell was appointed secretary. The object of the meeting having been stated, the hon. judge Story, after remarks made by him at some length, of a very solemn and impressive character, moved the appointment of a committee of five persons for the purpose of preparing resolutions expressive of the sentiments of the meeting upon the subject before it, which motion was adopted.

The following gentlemen were appointed to constitute said committee, viz: hon. judge Story, hon. judge Fay, Ephraim Butterick, esq. William Wells, esq. and Nathaniel R. Whitney, esq.

The committee, after retiring, returned and presented the following resolutions, which, after remarks from Simon Greenleaf, esq. and hon. judge Fay, were adopted, no one dissenting.

*Resolved*, That we, the inhabitants of Cambridge, view with abhorrence the flagrant violation of private rights in the destruction of the Ursuline convent of Monday last; and we earnestly desire that the perpetrators may be discovered and brought to justice.

*Resolved*, That we deeply sympathize with the innocent sufferers from this criminal and disgraceful attack upon a building occupied only by defenceless women and children.

*Resolved*, That a committee be appointed to communicate the sentiment of this meeting to the Catholic bishop of the diocese and to the superior of the convent.

*Resolved*, That the committee referred to in the last resolution, consist of the hon. judge Story, hon. judge Fay, Ephraim Butterick, esq. William Wells, esq. and Nathan R. Whitney, esq.

Voted and dissolved the meeting.

WILLIAM J. WHIPPLE, chairman.

The following notice excited great indignation in Boston—

#### PUBLIC NOTICE.

Whereas great and serious outrages have been committed in Charlestown, and the peace of the place greatly disturbed by mobs from the city of Boston and other places in the vicinity; Now, be it hereby made known that the civil authorities of the town, aided by the military, will prevent to the extent of their power, a repetition of these evils.

The selectmen do therefore call upon all good citizens to render them their aid and assistance in support of the laws, and enjoin upon all those who do not volunteer to come under their direction to keep within their houses during the ensuing night.

All those citizens who are disposed to volunteer their services, are requested to meet at the Town Hall, this afternoon at 6 o'clock.

By order of the selectmen,  
DAVID DODGE, town clerk.

August 13, 1834.

From the Boston papers August 14.

It appears that a mob of men and boys, partly armed with pistols and knives, after parading through the streets of Boston, and menacing the Catholic church in Franklin street, marched to the ruins of the convent at Charlestown, about 11 o'clock on Tuesday night, where they completed the destruction of the garden, and made a bonfire of the fences that surrounded the grounds. They then made a hostile demonstration in front of the Catholic church, but finding it defended by the Charlestown phalanx, they retreated, without committing any actual violence.

The authorities of Charlestown are busily occupied in collecting facts and taking depositions, respecting the transactions of Monday and Tuesday nights.

The Boston Gazette says: "At eight o'clock, on Wednesday evening, there were eight hundred or a thousand persons assembled in and about the city hall. It having been supposed that they were drawn together by a report in circulation that the bishop had informed the mayor that there were five thousand armed Irishmen in the city, over whom he had no control, and who were determined to show fight—gen. Lyman considered it his duty to come forward and address his fellow citizens upon the subject. He assured them that there was no foundation for the report, and that there was no reason to apprehend an assault from the people referred to. At the same time he took occasion to caution them against all other reports of the kind, and to solicit a continuance of their aid in preserving the peace of the city. This address of the mayor gave general satisfaction, and the crowd soon after dispersed.

"In the night, nothing occurred worthy of special notice. The civil and military authorities were on duty all night, prepared to act in case of necessity. They deserve credit for the promptness with which they assembled. Their patriotism in an emergency of this kind, when it is the duty of every good citizen to act, cannot be doubted."

The Transcript says—A mob occupied the convent grounds from 11 o'clock last night until half past two this morning,

[Wednesday]. There was no force, civil or military, to oppose their violence, and they destroyed a great number of valuable fruit trees, tore up the choicest vines of the graperly, pulled down the fence, and made a bonfire, and no one resisted them!! The Charlestown light infantry were on duty at Mr. Cutter's house, but having been specially posted there to guard his property, they did not feel authorized to leave their station to go to the protection of the convent. The Charlestown phalanx were on duty at the Catholic church in that town.

The *Atlas* says—The city has been, during the evening, in a state of much alarm and excitement. From the unallayed fury of the ruffians on Tuesday evening, and their renewed acts of outrage in burning the vines and fences attached to the convent, without the interposition of either the *civil or military authority* spoken of by the valorous selectmen of Charlestown, apprehensions were entertained of some serious collision with the Catholics. Various rumors were current during the afternoon and evening, of a nature to inflame to a still higher degree the excited feelings of the public. Many of our citizens enrolled themselves with the mayor, as volunteers, for the performance of patrol duty. Several of the military companies are under arms, and the whole city is now under the protection of a numerous armed watch.

*Proclamation by his excellency John Davis, governor of the commonwealth of Massachusetts.*

Whereas, It appears from representations made to me by the several committees of vigilance of Charlestown and Boston, which representations, in substance, are confirmed by the attorney general of the commonwealth, that on the night of the 11th inst. a large number of persons assembled in Charlestown, by preconcerted designs of violence, and proceeded in a high-handed manner, in disregard of the civil authorities, and in defiance of the laws, with fire, and acts of outrage, to demolish the building called the Ursuline convent, to lay waste the gardens and grounds, and to break open and desecrate the sepulchres of the dead, having previously compelled a large number of females, then dwelling in said building, many of whom were pupils, in a school, and of tender age, to seek safety in flight, and to take refuge in the fields. And whereas it also appears that after much investigation, the civil magistrates and other officers of the law are unable to discover the perpetrators of this daring outrage, and that the ordinary and common course of proceedings is thus proved to be ineffectual.

Therefore, in compliance with the request of said committees, and in pursuance of the authority vested in me by law, I do offer, in behalf of the commonwealth, a reward of five hundred dollars to such person or persons as shall cause the said offenders or any of them, to be apprehended and brought to conviction, which sum of five hundred dollars, shall be paid to one or more persons, as existing facts upon conviction of an offender or offenders, and the ends of justice may require.

And I do further call upon all the good citizens of this commonwealth to aid in healing the wound which the laws have received by this open contempt of their authority, and this wanton disregard of private rights. I appeal to them to be vigilant in preserving the public peace, and in sustaining the civil authority. Their discontinuance of such proceedings will restore confidence, and make our peaceable institutions sufficiently powerful to arrest any insubordination, and meet any emergency. If the people will it, there will be no more destruction of private property, or invasion of private rights, by open acts of violence.

Given under my hand, this fifteenth day of August, in the year of our Lord, one thousand eight hundred and thirty-four, and the fifty-ninth year of the independence of the United States. JOHN DAVIS.

*By his excellency the governor.*

EDWARD D. BANOS, secretary of the commonwealth.

*Scraps from various sources.*

The letter from bishop Fenwick to the father of the young lady, was given in our last, and it is not worth while to repeat it. It relieves the nuns of all manner of blame. The bishop is one of the most worthy and benevolent men that lives—a native of Maryland, and connected with several of the most respectable families in this state. He has always been zealous to do good, and, without hesitation, exposed his health and life to relieve or comfort the afflicted. He was one of the chiefs of the brave and benevolent men who volunteered their inestimable services in Baltimore, when visited by the yellow fever some years ago, and every body who know him, even by reputation, will place implicit reliance in any statement made by him, however strong may be their religious prejudices.

The superior of the convent appears to have conducted herself with great propriety—she rejoiced that the children all escaped uninjured, and was quite patient under the loss of property, which she estimated, at \$40,000. This is a small matter, and can easily be redressed, as no doubt it speedily will be; but the stain of the outrage will remain.

There was an insurance at the American office on the building to the amount of \$12,000, and \$2,000 also on the furniture; but no part of this will be available to the proprietors under the circumstances of this occasion. The policy does not apply to occasions of this kind.

As many as ten or eleven engines from Boston, besides five from Charlestown, and some from Cambridge, repaired to the spot, but only to swell the crowd of spectators. The firemen

of course were under the control of the Charlestown engineers, and by these were requested, as we are told, not to play upon the buildings—no water was thrown by any of the engines. The nearest which could be used to any extent, was that of the Middlesex canal.

The whole party of the assailants were disguised. All of them, so far as we can learn, had their faces painted—some after an Indian fashion, and others, in other ways; and a part of the number employed devices and disguises of various other descriptions, adapted to conceal the individuals concerned in the outrage, from recognition.

A valuable silver chalice, which was placed in its tabernacle and deposited for safe keeping in the convent tomb, which infamy has desecrated, was stolen by the violators of the grave.

The following infamous paragraph is copied from the *New York Evening Post*—

Boston but a few days ago signalized itself by a "whig" rejoicing at the incendiary decapitation of our chief magistrate's revered image; and now it sends its rabble out to burn a house devoted to religious uses, and maltreat if not slay its peaceful female inmates—beings retired from the world, and devoted to the service of God.

The riots ceased after the 2d night—but a public force was held in readiness for several nights, in Boston.

The *Boston Courier* of the 15th says: We heard a rumor, last evening, that the committee of investigation had obtained some important testimony, which would probably lead to a discovery of the ring leaders of the Charlestown mob.

The mayor and police and military of Boston, so far as they could act, which was only within the limits of the city, deserve the highest praise for good conduct.

Many persons have been arrested as participants in this outrage, and some examinations had—which it will be time enough to notice when the proceedings on the case are matured. There is much zeal to pursue the offenders. One has turned state's evidence, and it was thought that important facts would be obtained through him. He had already implicated several persons.

The selectmen of Charlestown issued a notice, charging the attack and conflagration of the convent on persons from Boston. This caused a bitter excitement in that city, as may be seen by the following paragraph from the *Transcript*:

The fire bells rang in Charlestown on Friday night. The indiscreet conduct (we use a mild term) of the selectmen of Charlestown, had produced a deep sensation of indignation, and we do not believe—even if the *draves of the bridges had not been raised*—that our citizens would have gone voluntarily to the protection of Charlestown, had it been one general scene of conflagration. But the Charlestown selectmen have made a public recantation of their reflections on the citizens of Boston—they say their resolutions were written in "a moment of great excitement and confusion."

The selectmen of Charlestown have also issued a notice requesting a suspension of public opinion, and promising a full statement of all the facts that can be obtained, &c.

The superior of the convent has published a list of the scholars (chiefly from Boston, but some from distant places), and of the principal articles of property lost by each. We notice several pianos, harps and guitars, silver tumblers and spoons, music and other books, watches and articles of jewellery, and other things too tedious to mention. A large amount in money belonging to its various inmates, with the books and papers, &c. of the convent were destroyed. Indeed, nothing was saved, except what the nuns and the scholars had on their backs.

The *Boston Transcript* says—"The destruction of the bishop's lodge in front of the convent, has not excited much comment; but we cannot forbear expressing our regret—especially since the publication of the course adopted by that prelate on this occasion—that a large and valuable library, consisting of classical and other works, should have been utterly consumed in the common ruin which overwhelmed the whole establishment; not a single book was saved."

The *Mercantile Journal* says—"The innocent cause of all the tumult at the Ursuline convent at Mount Benedict, is Miss Elizabeth Harrison, a native of Philadelphia. Previous to leaving the institution she had been unwell, and at the time was laboring under a partial mental derangement. She was a teacher of music in the convent, and her relatives and friends called on her whenever they desired, except during school hours, and were never refused admittance. She has a brother in this city, Mr. Thomas Harrison, an intelligent and industrious copper plate engraver, in the employ of the Boston Bewic company, from whom these facts are elicited, and he assures us that there was nothing about the convent, or the treatment of his sister, in the least degree, calculated to cause the past or present excitement, other than the fact of her leaving as above stated, and that his sister was not aware that her liberty was in the least restrained. Her taking the veil was a voluntary act, and she has no disposition, and no consideration, she assures her brother, would induce her to relinquish the order.

[Another paper adds that she has been in the convent four teen years, and was 2nd or 3rd in authority.]



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A little table, copied from the New York Commercial, of the votes given for president and vice president at the election of 1832, presents a singular comment on what is called the "voice of the people." The plurality of the popular vote in favor of president Jackson was very small, compared with the force of his electoral vote; and vice president Van Buren was elected by a minority of the votes of the people, though chosen by a large majority of the votes of the electors; and, had the rule that applies to the electors been extended to the votes of the people, Mr. Van Buren would hardly have been vice president of the United States, at this time—for the senate might not have preferred him.

We have no wish to disturb the federal principles established in the constitution—but it would be well if those who speak so much about the voice of the people would look to the facts. One of the strongest electioneering points made against Mr. Adams was, that he was "a minority president"—the fact exists that Mr. Van Buren is a minority vice president, and will be a minority president, in case of the decease or resignation of gen. Jackson.

The usual notices of the progress of the elections are given in a subsequent page. We always endeavor, in things of this sort, and, indeed, in all others, with fidelity, and in mildness, to state the facts as they appear unto us, so far as they are considered necessary to the public information or curiosity—but cannot make ourselves responsible for the truth of any statements of the kind. The "Globe," however, on a late occasion, insisted that there were "liabilities" in such cases, even in innocently copying misstatements or errors. How then does the editor feel for having himself originally proclaimed Mr. Letcher's majority to be only, and exactly, 95—which is officially shewn to be 270? Will he take home, for himself, that liability which he would impose on others? No—the essential difference that there is between *meum* and *tuum* forbids that!

Though gatherings of large numbers of the people at Philadelphia to commit acts of violence, had ceased after the third night—many excesses subsequently took place, and colored persons, when engaged in their usual avocations, were repeatedly assailed and maltreated, especially on the Schuylkill front of the city. Parties of white men have insisted that no blacks shall be employed in certain departments of labor. This is going a "considerable length."

The examination of persons supposed to have participated in the late riots at Charlestown, Mass. is still going on. A handbill had been circulated, however, threatening the assassination of persons who should give testimony tending to convict the offenders. It is given out that the destruction of the convent was the result of a deliberate conspiracy! We hope that this is not true. But there are fanatics and knaves in almost every sect—persons that would burn a man's body for the good of his soul!—in their administration of the Divine goodness and mercy.

The treaty lately concluded with the Chickasaw Indians is given at full length—as conveying information and making a record of certain new or important principles which are established between the United States and the original possessors of the soil. Those who feel an interest in the past history or future condition of the Indian nations, will give this treaty a careful reading.

We notice accounts of several late fatal accidents to bricklayers and carpenters, from the falling of scaffolds on which they were at work. In looking at many of these scaffolds we have only wondered that such accidents were not of very frequent occurrence.

VOL. XLVI—Sio. 30.

There is a prospect of an exceedingly great crop of cotton, in the present year—and the wheat crop has been heavy; but, though the prospects of corn are not flattering in the middle states, because of the want of rain, it bids fair to yield a very large product in the southern.

Among our political selections for the present week, will be found the speech of Edward Everett, esq. at the whig celebration at Salem, Mass. and the address of Mr. Thomas and reply of Roger B. Taney, esq. on the reception of the latter at Frederick, Md. After the last was in type, we received the speech of Mr. T. at the public dinner given to him, or should have preferred it—but it is probable that some opportunity will soon occur to give it an appropriate insertion.

It seems that Mr. Everett, of Mass. has only declined a re-election to congress, and not resigned his present seat.

In a subsequent page will be found an account of the reception of the president of the United States by the convention of the state of Tennessee, in session at Nashville. A great public dinner was also given to him, at which he offered the following toast:

*The true constitutional currency, gold and silver coin*—It can cover and protect the labor of our country without the aid of a national bank, an institution which can never be otherwise than hostile to the liberties of the people, because its tendency is to associate wealth with an undue power over the public interests.

The president, in his toast at Nashville, speaks of gold and silver as the true "constitutional currency;" but last year, in New York, the capital of the local banks was increased in the large sum of \$3,600,000—and in all the states, perhaps, to the amount of \$ or 10 millions of dollars.

The "New York Evening Post" thus proclaims war against the local banks—

We freely state that we desire the legislature, at its next session, to restrict banks from issuing from the time of the passing of the act, any notes of a less denomination than five dollars; and that we wish this to be merely a first step in a series of measures, which we shall not consider completed, as long as a bank note of less than one hundred dollars is in circulation, or as long as an incorporated bank exists.

And some of the papers of the interior seem willing to forbid the issue of bank notes for less than 10 dollars. We shall see whether these do not change their minds—after the election. There are 30 millions of bank capital in New York, chiefly under charge of the commissioners of the "safety fund."

The "Globe" thinks it may be "doubted" whether the bank of the U. S. does not violate its charter, by refusing to redeem its notes in gold! Is not silver coin a legal tender? We always thought that it was. *Where is the gold?*

But it is charged, that the bank had procured 35,000 dollars in half eagles at the mint (probably coined out of its own gold), and yet refuses to pay its notes in half eagles. The sum stated, as a business concern, is like the bite of a flea on the hide of a rhinoceros. But why this anxiety about gold? If its circulation is designed to operate against the bank, may not the bank retain its own gold to protect itself—without "violating its charter!" But the bank cares nothing about it. The office in Baltimore freely pays out gold—when happening to have it. But the quantity of the new coins is contemptible, if to be spoken of as currency. It will not supply one *sheva piece* for every election district!

We perceive, (says a Philadelphia paper), that captain R. F. Stockton has returned from London, whither he went on a successful mission to negotiate a loan for the Camden and Amboy rail road, and the canal company.

If all who deal on borrowed capital ought to break, what should happen to this company who have mortgaged their road and canal to foreigners? If "perish credit," is the word—let the road and canal perish!

Several articles have been published in the papers as to great losses sustained, or serious difficulties encountered, by the Union bank of Tennessee, in consequence of certain "experiments" on the currency, and negotiations entered into at Baltimore. We know nothing of the state of this bank, and, certainly, do not wish it any harm—but it must soon become manifest, we think, that the local banks are incapable of carrying on the exchanges of the country, each one having its own, and separated interest to pursue.

The N. York Courier calls the new gold pieces, "the decapitated coin."

A letter to the editor of the Baltimore Patriot, dated Hagerstown, Md. Aug. 30, 1834, says—

"You will receive enclosed five dollars, canal scrip, which is chiefly all the kind of money we can see here, in these experiment times."

The note or canal scrip is signed John P. Ingle, clerk, and John H. Eaton, president. Is this a sample of the "better currency," proposed.

Large quantities of specie are arriving from Mexico—much of it on account of the unsettled state of affairs in that country.

American nankeens, manufactured in Rhode Island, from cotton grown on the plantation of Mr. Forsyth, present secretary of state, have obtained a high and well-deserved reputation, for the durability of the cloth, and the fastness of its natural color.

The conduct of the post master at Philadelphia is severely assailed, because that a large quantity of public documents franked from Washington, by col. Watmough, for the use of his constituents, had been sold to a grocer, (enveloped, and addressed and franked), as waste paper. The excuse made is that the persons to whom they were addressed could not be found. This is denied, and the Commercial Intelligencer says—

Among the hundred weights of public documents and papers suppressed and sold by the post office clerks, there is not a single frank of Joel B. Sutherland, nor a single copy of the Globe, to be found!

A great public dinner was given to Mr. Ewing, at Chillicothe, O. on the 7th inst. and another at Charlestown, Kanawha, Va. on the 12th. He was invited to several other places, but being obliged to proceed for Washington, as one of the committee on the affairs of the post office, he was compelled to decline the attentions proposed to be paid to him. The following is the complimentary toast that was paid him in Chillicothe—

By the president of the day—Thomas Ewing, of Ohio—A strong man, both under his own constitution and the constitution of the people: with the same nerve that felled the forests of the west, he is now felling the corrupt exercises of patronage—a good workman for constitutional wages—without "extra allowance," save and except the approbation of a grateful people.

A meeting of individuals from various parts of the state of New York is to be held on the 11th of September, to discuss the subject of applying to the state legislature to cause a *ship canal* to be constructed from Lake Ontario to Utica and Albany. If this grand project to aid internal navigation is carried into effect, it will add greatly to the prosperity of the state, and tend also to increase the riches of the west.

Between the 16th and 23d instant, one hundred and twenty tons of merchandise left Wheeling for Baltimore!

The people of Boston (says a cotemporary) have just closed their most interesting annual festival, that of the public schools. The premiums for superiority were distributed to the deserving scholars with becoming "circumstance," and then the city authorities, with numerous guests and the successful scholars, marched to Pa-

neul Hall, and partook of a sumptuous dinner. Such a feast, with such guests, old and young, may justly be called "a feast of reason."

This is one of the most interesting ceremonies of the cast—as well as a truly *glorious* one. Cobbett, however, thinks that general education has rendered much injury to the people. We do not think so!

The *National Intelligencer* says—

Our worst apprehensions for the safety of the expedition to the far west, composed of the regiment of dragoons, &c. already begun to be realized. Brigadier general Leavenworth, who commanded it in chief, is no more—he died of bilious fever, at a place called Cross Timbers, on the 21st of last month; and one or two other officers are reported to be ill. The command, by the death of general L. devolved on colonel Dodge, of the dragoons. The first act of his command, we hope to learn, will have been to cause the expedition to retrace its steps. We shall await with anxiety further intelligence of its movements. Lieut. G. W. McClure, of the dragoons, has also died.

A letter is published in the Journal of Commerce dated Hamilton, Bermuda, August 12, which says—

Every thing goes on here even with more regularity now than before the negroes were liberated. They will soon too, I fear, feel the loss which the change has brought with it, for it is impossible they can all find employment here. Some families having as slaves 15 or 20 domestics, now keep but 3 or 4; and as every one was abundantly supplied when they were in that state, the surplus of unemployed must seek the means of livelihood in some other place, and that it would be a difficult thing to point out, as many of them are not familiar with hard work. They will find their lot a bitter one, wherever they direct their steps.

We much regret to learn, that the cause of Santa Anna, and of an established and intolerant church, is succeeding in the *republic* of Mexico—Puebla having surrendered on the 22d July, and other places sending in their adhesion, to the combined forces of the sword and the mitre.

The Boston Transcript, the week after the riots at Charlestown, had the following article:

"A number of the clergymen of the city and vicinity preached yesterday from texts applicable to the events of the last week. We learn that the rev. Mr. Walker, of Charlestown, was more than usually eloquent, and that his sermon will probably be printed. The rev. Dr. Jenks, of the Green street church, preached an appropriate and most excellent discourse from the second epistle of Timothy; ii. ch. 5 v. "And if a man also strive for mastery, yet is he not crowned, except he strive lawfully." We learn that Dr. Beecher also made the events the subject of a discourse preached from the rev. Mr. Blagden's pulpit. Many other clergymen alluded to the riots and rioters, and in some instances in prayer and apt selections of scriptural lessons.

"The right rev. bishop Fenwick preached at the church of the Holy Cross, and addressed his auditors in the spirit of the text, "Father, forgive them, for they know not what they do." He spoke of the rioters as a small body of lawless men, whose deeds were repudiated by the whole community, and urged those of his hearers whose feelings were most outraged by the late occurrences at Charlestown to pursue the paths of peace. His discourse produced a powerful impression, whose end is good."

A New York paper gives the following classification of a political convention of seventy delegates, that recently met in St. Lawrence county, "to settle the affairs of the nation."

1 United States senator; 1 member of congress; 2 members of assembly; 1 county clerk; 1 auctioneer; 1 master in chancery; 1 inspector of leather; 3 judges of county courts; 8 custom house officers; 1 sheriff; 4 deputy sheriffs; 14 postmasters; 17 justices of the peace; 6 commissioners of deeds; 6 supervisors; 3 constables—70 exactly.

Settlers are still arriving in great numbers at Quebec; and many perish with the cholera in that city and at Montreal, or at points reached by them in Upper Canada.

The accounts from Greece are rather of a pacific character—and two battalions of the German troops were about to return home. The Greeks enter the service of King Otho freely. Some wholesome reforms are going on. A Greek journal says—

"There were in Greece 518 convents, which contained only 4,111 monks and 287 nuns. Only 83 had six or more monks, many had only two, or one, or none at all. Reckoning the income of each convent at only 1,000 drachms, 518,000 drachms were annually thrown away, and this revenue might easily be

doubled. Now, however, the remaining monks and nuns have been collected in a small number of convents, there to devote themselves to their original destination, prayers and agriculture, and to pay the tithes to the ecclesiastical treasury. The remaining convents are suppressed, and their revenues added to the church funds."

ELECTIONS.

With respect to *North Carolina*, the "Globe" of the 26th says—

"We have returns from 35 counties in North Carolina, giving 61 members to the ranks of the Jackson democracy, and 49 anti- of all complexions. There are 29 counties to hear from, which we have no doubt, from the political character of the districts, will double the majority. We have a letter from a member of congress, who informs us that his district has given a majority against the administration, stating that the other sections of the state have returned the majority which was anticipated for the administration."

The same paper also mentions that Mr. Branch, (one of the dismissed secretaries), has been elected, and that the seat of the "bank candidate" returned for Fayetteville, will be contested. A letter from Fayetteville, so far as the returns are received, claims 84 for the administration and puts down 51 as opposed or doubtful. On the other hand, it is freely said that a majority will not sustain the re-election of Mr. Brown to the senate of the United States; and the North Carolina Whig states that Bedford Brown, U. S. senator from that state, whose time expires on the 4th of March next, has not the smallest chance of re-election. The whigs have a decided majority in both branches of the legislature.\*

The returns are nearly all in for *Kentucky*, and the following results appear—

For the house of representatives it is ascertained that 74 "whigs" have been elected, and the remaining 26 members of the house, 100 in all, are possibly Jacksonians. In the last house the parties stood 60 to 40.

The senate consists of 21 whigs and 16 Jacksonians, and there is one vacancy occasioned by the decease of a senator at so short a time previous to the election that the necessary measures could not be taken to order an opening of the polls to supply the vacancy. Last year the senate stood 20 Jacksonians, 18 whigs. The following is said to shew the actual results—

In a joint ballot, (there is one vacancy), the whole vote is 138—of these, last year, 77 were whigs and 61 administration; now the state of parties is 95 whigs and 41 adm. Majority on joint ballot 54, or a gain since last year of 28.

The sheriffs of the fifth congressional district have added up the polls, and officially returned Mr. Letcher as elected to congress by a majority of 270.

The returns of the election of governor of *Indiana*, so far as received, shew the following aggregates:

For Mr. Noble	.....	33,954
Mr. Read	.....	24,055

The votes for lieutenant governor are in about the same proportion, and the anti-Jackson candidate, Mr. Wallace, is chosen.

The *Indiana "Democrat"* issued the following in an extra, on the 29th July last, heading it "*Glorious news!*"

"We have heard from every county in col. Kinnard's district, and we are safe in estimating that Judge Read will obtain in the district a majority of FIFTEEN HUNDRED VOTES. Let the freemen of the state go and do likewise and victory is certain."

But the *Indiana Journal* of the 16th August coldly publishes the late returns from the several counties, which have the following results:

There are 13 counties, and twelve of them gave majorities to Mr. Noble, whose aggregate vote is 6,416 against 4,388 given to Mr. Read—being more than 2,000 in favor of Mr. Noble instead of 1,500 against him. This was a great change between the 29th of July, and the 4th of August—the day of the election.

The *Indiana papers* do not particularly state the political character of the members of the legislature chosen; but there seems to be a decided anti-Jackson majority in that body, and a very large one more especially opposed to Mr. Van Buren, as the successor of the general. This will be regarded important, if the report is true that Mr. Tipton is about to resign his seat in the senate of the United States—not feeling at liberty to support the administration any longer. It is added that several of the members of the house of representatives from this state had so changed their opinions, since their return home.

The returns are from 25 counties of *Illinois*. The result stands thus:

Duncan,	7,529	McLaughlin,	2,521—Kinney,	4,347.
McL.	2,521			
Whig,	10,050			
Van Buren,	4,347	[Kinney]		
Whig maj.	5,703			

\*We have to hear from other sources.  
 †Later accounts say that Mr. Noble's majority is 9,553, and only two counties to be heard from, which will not vary the result 100 votes.

The same counties in 1832—the vote stood for Jackson, 8,946—Clay, 4,001—majority, 4,945. Shewing a change, as it is said, of 10,668 votes.

There is very little, if any, doubt of the election of Mr. Duncan, by a large majority.

The *Louisville Journal* of the 19th says—A gentleman of this place, just from Illinois, states that Mills, the whig candidate for congress, is elected—that Reynolds, (late governor of Illinois), an avowed advocate of the bank, and opposer of the removal of deposits, of the protest, and of Martin Van Buren, is also elected to the same station—and that Casey, the third member elected to congress, declared himself in favor of the bank in order to secure his election.

We think, however, from other accounts, that Mr. Mills has not been elected. It would seem, nevertheless, that the candidates for congress "pledged themselves to vote for a renewal of the charter of the bank of the United States, and to oppose the succession of Mr. Van Buren."

On these points Mr. Duncan's opinions are well known. He voted with the minority in the house of representatives on nearly every question concerning the bank, or the deposits, and so also in the case of the contested election between Messrs. Letcher and Moore, and on others when there appeared to be a rallying of parties—as may be seen by a reference to the yeas and nays.

We add the following extract from Mr. Kinney's address to the electors—"But, if it be true, that the people of Illinois desire the recharter of the United States bank, or the charter of another, it would seem to be desirable that our representative, who is now my competitor for the office of governor, should be permitted to remain where he is."

We have later returns, as follows:

For Mr. Duncan	.....	8,575
Mr. McLaughlin	.....	2,667
Mr. Kinney	.....	5,935

There are partial returns from *Missouri*. It seems that certain proposed amendments of the constitution were made the chief question at the polls. The *Bowling Green (Missouri) "Journal"* of the 12th has the returns from several counties, and says—"So far as heard from in the Mississippi district, the anti-Jackson party have a majority of the members in the lower house—in the senate equal." But the *St. Louis "Republican"* of the 13th, speaking of the election of a senator of the United States, [Mr. Linn holding his present place by appointment of the governor], gives us to understand that no other than a "Jackson man" can expect to be chosen. We meet with the following, however, as taken from the *St. Louis Advocate*, said to be a thorough going administration paper—"The opposition ticket for the lower house, has succeeded by four to two. As far as our election has gone, we augur but little good from the next legislature."

[Perhaps the county is only alluded to.]

We notice in the *Richmond Enquirer*, a report of the election of two Jackson and anti-bank men to the legislature of *Mississippi*—and this is all the particulars that we have of the election in that state. Mr. Ritchie, however, decidedly says, that Mr. Poindexter "will be ousted." But a *New Orleans paper* of the 12th says—We are gratified in learning that Mr. Poindexter's re-election to the senate is certain, but the election is expected to be a close contest. In about a week we may look for sufficient returns to enable us to form a conclusive opinion.

There was, as we suggested in our last, a "mistake" about the result of the elections in *Alabama*. The *Huntsville papers* give the names of the gentlemen elected in 13 or 14 counties, and it seems that the administration party has succeeded by a large majority—for a letter from *Tuscaloosa*, dated August 7, says—

"We are about to give a dinner to King, McKinley, Clay, Mardis and Murphy; and in honor of the triumph of democratic principles, gen. Jackson is to be invited, and a messenger has been selected to hear the invitation to the old hero. We intend to have a great jubilee of it."

§—The *Louisville Journal* of the 21st says—We are not yet able to give full returns from *Indiana* and *Illinois*, but our friends need no longer be anxious on account of those states. In both of them revolution has done its perfect work. They have been "winnowed by the wings of liberty."

P. S. Last evening's mail brought us some accounts from *Rhode Island*, the election in which took place on Tuesday last. The whole number of the members of the assembly is 72—it is said to be ascertained that 39 whigs are elected—and supposed that parties in the house will stand 40 whigs, 32 administration, and asserted that in the "worst possible state of the case," 43 out of the 82 members of the legislature, (including the 10 senators, heretofore elected), will vote against an administration senator. But 5 more, or 48 against 34, was expected to shew the real state of the parties. We shall soon have the facts.

CHOLERA.

Though this disease appears in solitary instances at some new places, it is not bad in any in the United States, nor does it

\*All except one, we believe—of importance.

seem to have prevailed as an epidemic amongst us—though the contrary appears to have happened in Canada. But the pestilence was rapidly declining at Quebec, Montreal, Toronto, Kingston, &c.

At Albany the disease had abated—the last report mentioned only one death. The towns on the Hudson, we believe, may be said to be free of cholera.

At New York there were 16 deaths by cholera on the 23d; 14 on the 24th; 26 on the 25th; 21 on the 26th; 24 on the 27th; and 26 on the 28th.

In New York, last week, the deaths amounted to 367. Of these the cholera carried off 131, being an average of *nineteen* per day. 167 were children under 5 years of age.

The deaths by cholera at New York have generally happened in the most crowded and filthy parts of the city, and among the worst classes of its inhabitants—but there were some few decided exceptions.

Philadelphia and Baltimore are blest with good health. In the last week, there were 115 deaths in the former, of which 78 were children; and 70 in the latter, 42 being children under 5 years of age.

Individual cases, as they may well be called, have happened at many places—but it does not seem worth the while to name many of them.

But Buffalo and Detroit have been much afflicted, and we regret to say that, at the latest dates, the cholera was yet severe on their population. About 20 cases happened at Cleveland, and a few at Erie. There were 26 interments at Detroit on the 14th instant. It has been terrible in this little city.

Among the deaths at Buffalo, says a N. York paper—We regret to perceive announced that of M. A. Andrews, late mayor of that city, who died on Monday morning; and of Mrs. Andrews, who died on the preceding night. Mrs. A. was the daughter of the late chief justice Hosmer, of Middletown, Con. whose death was announced but a few days since. Mr. Andrews had also, before his death, lost two children by the same disease. The Buffalo Daily Advertiser thus adverts to the afflicting scene:

"'Tis midnight! The clock tells twelve—Its intonations are melancholy—its reverberations sound like a requiem of the dead. But hark! The midnight hearse is passing to the tomb, to deposit its victims. Other heart-strings are severed—'tis a lovely daughter! Who closed her eyes? Not a father or a mother; for they were both on the bed of death! And now is removed the mother to her last and silent abode—then swiftly, as if too dear for earth's abode, the little son! And now the gigantic troop—the father is gone! The mansion is desolate—and who remains to weep! The fountain of sympathy is closed—grief drank the offering ere it reached the eye.\*\*\*Who could not exclaim "Would to God I had died for you!" But "PEACE BE STILL!" Mourn not at the dispensations of Omnipotence, for who can resist His mighty mandates?"

A few cases are said to have happened at Charleston, S. C. We have daily statements of the interments at Quebec and Montreal, for several weeks—the general results of which are as follow:

From the 7th July to August 14, inclusive of both, being 39 days, 1,169 interments took place at Quebec, against 1,607, in 1832, the first cholera year. It is not clearly stated, as to either year, how many of those interments were caused by cholera, but there is reason to suppose that they were between two-thirds and five-sixths of the whole. The disease has not had as many victims as in 1832, perhaps because it has less subjects to feed upon; many of the emigrants being stopped at Grosse Island, where the mortality has been awful. The deaths by cholera at Quebec, on the 16th inst. were 4—on the 17th, 11—on the 18th, 13—total in three days, 38.

At Montreal, in 35 days, beginning with July 12, when the first cholera case was stated, and ending with Aug. 15, the whole interments at Montreal were 1,140, of which 798 were reported cholera cases, very many of which were children. The usual average mortality for those days was 205; and so to cholera or other unusual causes, 935 deaths are attributed. Deaths by cholera on the 18th, 19th and 20th, only 15—or 5 a day.

The whole population of Toronto, U. C. is about 10,000—and there had been already 250 deaths by cholera—or 1 in 40.

The cholera was dreadful at Kingston—whole families were swept away. So at the little town of Galt—out of a population of 150 persons, 37 died in two days!

The cholera has been bad in the Texas settlements. In the town of Labadee, with only 250 or 275 inhabitants, 145 cases and 40 deaths had happened. One half of the people of Warlough are said to have died, with a large number of the Manobo Indians. The people fled to the bushes and prairies.

A few deaths by cholera had taken place at Havana, and a good many at Gibraltar. The disease was declining in Spain, generally.

## ITEMS.

Mr. Elliott, of Baltimore, having failed to ascend in a balloon, accompanied by a lady, from Camden, opposite Philadelphia—the crowd that had been collected, forced the enclosure and cut the balloon into pieces.

A forcible entry, for the possession of Chambers street church, in New York, having been made by one party of the congregation, the other prepared to resist them by force, while divine worship was performing—but refrained on the interference of the police.

Died, in Baltimore, on Monday night last, Dr. William Howard, of the U. S. topographical engineers—a gentleman of fine taste, and of very superior talents.

Very favorable accounts of the value and productiveness of the southern gold region continue to reach us. The Albion (Geo.) Banner publishes a letter from Nacoochee Valley, in that state, which mentions that in one day "twelve hands had obtained one thousand one hundred and seventy-five pennyweights of gold from the Richardson mine in that valley. The largest mass weighed 98 pennyweights."

Mr. Henry Unwin Addington, some years since British charge d'affaires at Washington, and recently minister at Madrid, had retired from the diplomatic service, with a pension of *eighteen hundred pounds sterling per annum*.

It is announced in the London papers, that Mr. and Mrs. Wood [the singers] cleared \$50,000 by their trip to America.

Died lately, in Nantucket, capt. Joshua Coffin, aged 75. Capt. C. was one of the first explorers of the Pacific Ocean, in pursuit of the spermæct whale. To his early success in these adventurous voyages, may be ascribed, in some measure, the perseverance with which that fishery has since been followed.

The Bonaparte family are seeking to obtain two millions of francs, from the French government, for a portion of Napoleon's property, still due them.

The amount of cotton shipped down the Yazoo the past season is estimated at 10,900 bales.

Mr. Chalkley Baines' mare (in Columbiana county, Ohio) had twin colts last spring. Subsequently his cow had twin calves; and recently his wife presented him with THREE children, one son and two daughters, at a birth. All parties, except the colts, which are dead, are as well as could be expected!

The ship Sarah, the first free trader from China, arrived at London in July, with a cargo of raw silk valued at £400,000, or \$1,600,000.

There has been a great contest at New York between the trumpeters; Norton, an Englishman, and Gambati, an Italian—both very superior artists, and each excelling in his particular way. They played twice in the presence of about 3,000 persons. The silver cup was awarded by the judges to Norton.

A private gentleman, recently from China, is building a green house near Boston, that will be 400 feet long, and of proportionate breadth and height, and cost 20,000 dollars.

More than 1,200 persons have visited the Virginia springs this season—as follows: white sulphur 430—salt sulphur 230—red sulphur 200—sweet springs 180—hot springs 100—warm springs 75—blue sulphur 75—grey sulphur, a spring near Peterstown, in Monroe county, 20—total 1,310.

The diggings for gold have opened a great market for bread-stuffs and meats in Georgia.

## FOREIGN NEWS.

From London papers to the 23d, ultimo.

## GREAT BRITAIN AND IRELAND.

There have been other changes in the ministry, the earl of Carlisle, lord privy seal, is said to have resigned and his place filled by the earl of Mulgrave; and it is understood that Mr. E. Stanley, the member of parliament for Cheshire, succeeds lord Howick, as under secretary for the home department.

Great excitement had been produced in London, by the infliction of 300 lashes upon the person of a soldier by the name of Hutchinson, at St. George's barracks, Charing Cross. The punishment took nearly an hour in inflicting, and during this interval the drum beat according to the loudness of his shrieks for mercy. Such inflictions are disgraceful to the age, and we trust the parliament of England will take prompt measures to put a stop to a punishment at once so degrading to the military service, and revolting to the feelings of humanity.

The duke of Wellington has paid to the treasury the whole proceeds of his office of lord warden of the cinque ports.

The queen of England had arrived at the castle of Atenstien, near Liebenzen, Germany, and had been joined there by her mother, the duchess dowager, who had also taken up her residence there.

A subscription was being taken up in London to raise £2,000 by the friends of earl Grey, to enable them to present lady Grey with a statue of the late premier.

In answer to an inquiry in the house of lords, lord Melbourne replied that ministers did not mean to move the third reading of the coercion bill, but intended to substitute another immediately, which bill was subsequently introduced into the house of commons, and had undergone considerable discussion.

Lord Wharfedale had moved, in the house of lords, for the production of the letter addressed by the lord lieutenant of Ireland to earl Grey, which the latter declared private property, and avowed his determination not to give it up without the consent of the writer. The motion was subsequently withdrawn. The capital punishment bill had been passed.

In the house of commons on the 17th July, lord Althorp announced that lord Melbourne had completed the arrangements for the formation of an administration. Lord Ducaunon was

to be home secretary; sir J. C. Hobhouse, commissioner of the woods and forests; and his lordship, in compliance with the command of his majesty, would continue chancellor of the exchequer.

## FRANCE.

Marshal Soult had retired from the ministry and was succeeded by marshal Gerard. The cause of his resignation is said to be his expensive appropriations for the military service, which were deemed incompatible with the views of the chambers, who are studying economy, and acquiring increasing power over the public purse. The prefects had been ordered to deny to marshal Bournont an entrance into France.

Several ordinances had been published by the minister of commerce, making considerable changes in the commercial regulations of the kingdom.

M. Jauge, the banker of Don Carlos, had been committed to the Conciergerie, under certain articles in the penal code, which makes aiding or abetting the enemies of the allies of France, punishable by death; and M. Chateaubriand had been summoned to be present at the opening of a letter addressed to him, found on M. Jauge. The letter was written by a friend at Bordeaux, informing M. Chateaubriand that Charles V. had just passed through that city.

## SPAIN.

Don Carlos had entered Spain, is supposed to have landed near Bayonne, and it is said will march at the head of 17,000 men. He has appointed M. Villenur his minister of war, Zumalacareguj his commander in chief, and Benito Eraso, second in command. As soon as Charles had crossed the French frontier, bonfires were lighted in all the villages, and the bells of all the churches set ringing. He arrived at Elisondo on the 10th ult. where he was received by the people with enthusiasm and publicly attended church, where a *te deum* was performed in honor of his safe return. Crowds of people from all directions flocked to Elisondo, dressed in their Sunday clothes, and testified their joy by illuminations, bonfires and dancing all night. On the same day Don Carlos, accompanied by gen. Zumalacareguj, who had joined him soon after his arrival, set out for the head quarters of the army, at some distance from Elisondo. The plan of operations is, that the king is immediately to press forward to meet gen. Rodil, attack him, and then advance on Madrid, without stopping on the way.

The following is the proclamation addressed by Don Carlos to the army:

"Soldiers—My desires are at length satisfied, I am in the midst of you. This is a moment my heart has been long expecting—you are acquainted with my constant efforts to hasten it. My paternal heart is filled with the sweetest satisfaction when thinking of your glorious actions, which will be transmitted to the most distant posterity. Volunteers and soldiers, your sut ferings, your fatigues, your constancy, your love for your legitimate kings and for my royal person, are a subject of admiration for all nations, who cannot find eulogiums sufficiently worthy of such heroic devotion. Let us set out then, altogether, and with me at your head let us march to victory. But even victory will be painful to me if purchased at the expense of Spanish blood. To avoid this I exhort all those who have been seduced or deceived, or who, docile to my voice, will lay down their arms, to come and take shelter under my royal mantle. But if, contrary to my expectations, there should be found any sufficiently blind to persist in an opposite course, they shall be treated as rebels to my royal person. I shall be as severe to those who persevere in their rebellion as I shall be indulgent to those who shall repent. And you, valiant and faithful warriors, now assembled round your chief and father, let the most rigid discipline reign among you, and observe the most strict obedience to your commanders. From discipline and obedience proceeds strength, and that strength will secure us the victory with which God will crown the cause of justice. Generals, officers, volunteers and soldiers, I am grateful for your immense services, which shall be rewarded by your king.

"CARLOS.

"From my royal residence at Elisondo, July 12."

The apprehensions of cholera having subsided, the cortes was to have been reconvened at Madrid on the 24th ult. The curate Merino, who had his head quarters at the village of Osma, had been joined by Cuevillas and several others, with 800 infantry and 400 cavalry. The object of the curate was to divert the attention of gen. Rodil from the protection of the northern provinces. A regiment of grenadiers, commanded by col. Ferris, had left Segovia for Sigüenza, in order to attack the curate Merino. Advices from Saragossa affirm that Cuevillas had been defeated, and he himself killed.

## NOTICE—GIRARD BANK.

Philadelphia, August 25, 1834.

At a meeting of the board of directors held this day, the following preamble and resolutions were adopted:

"Whereas, stockholders in the Girard bank, representing more than one-half of the capital stock thereof, did, in the month of March last, instruct the board of directors "to restore to the proper authority the money and deposits of the United States, in their possession, as soon as the same could be effected, consistently with the convenience and safety of the institution; and that the said bank should thenceforth cease to be the repository of the moneys aforesaid."

And whereas, in consequence of this action of the stockholders, an arrangement was made with the secretary of the treas-

ury, by which the contract then existing between this bank and the United States, was annulled, and the whole balance of the public funds placed at the immediate disposal of the said secretary, on the first day of July last, of which due notice was given.

And whereas, since that period no contract has existed between this bank and the government, the board having carried into effect, so far as depended upon them, the instructions of the stockholders.

And whereas, a majority of the whole stock of this bank, including the major part of the stock which was signed to the resolutions of the 17th of March last, (and nearly two-thirds of such portion of said stock as remains in the hands of the same owners,) has been subsequently signed by the proprietors in person, or by attorney, to a request addressed to the directors, that the bank should resume the transaction of the public business, "if the same could be obtained on such terms as the board might deem expedient, and advantageous to the interests of the institution."

And whereas, this board did, in cancelling the former contract, act in accordance with the views expressed by the owners, or their representatives, of a majority of the stock:

And whereas, the present instructions, emanating as they do from a still larger majority, claim, in the opinion of the board, equal respect:

And whereas, the board have, in consequence of such instructions, made a new arrangement with the secretary of the treasury, such as "they deem expedient, and believe will be advantageous to the interests of this institution:"

And whereas, it is due to themselves, in order to prevent all misconception, or unintentional misrepresentation of their conduct and motives, to promulgate the recent proceedings of their stockholders, which, having taken place unaccompanied by any incidents attracting general attention, might else remain unknown to the public; and also, to make an explicit avowal of the course which they (the board) have pursued in reference to the same, which is especially requisite in the present case, because of the great publicity given to the former proceedings, both of the stockholders and the board; therefore,

Resolved, 1. That public notice be given that the Girard bank, in the city of Philadelphia, has resumed the transaction of the public business, as a fiscal agent, under a contract with the secretary of the treasury of the United States, made and entered into on the eighteenth day of the present month.

Resolved, 2. That the foregoing preamble and resolution, attested by the cashier, be inserted in two or more of the daily papers of this city. A true copy from the minutes.

WM. D. LEWIS, cashier.

## LYCEUM SEMINARIES.

Addressed to the editor of the Register.

Self-education and self-support is, in all the departments and all the operations of the lyceum system, its most prominent feature. It acknowledges the benevolence, the overflowing goodness of our Creator, in furnishing all his rational creatures with the faculties, and in surrounding them with the materials, or means, of growing and rising in physical, intellectual and moral strength. The great object of lyceums is to call into exercise those faculties, and into use those materials, so abundantly furnished by the wisdom and goodness of the Great Creator, and the constant and abounding Benefactor.

There is, however, one department of the general and national institution of lyceums in which the principle of self support is more fully and more prominently recognized than in any of the rest. The general plan of lyceums has ever contemplated, within every county or other moderate district, a manual labor and self-supporting school, which should furnish to its pupils advantages equal to those in our colleges for general literature and science, and much superior for a practical business education to those of any institutions in our country. While these schools are designed to afford to farmers, mechanics and all the industrious classes of the community, the best opportunities for a practical, useful education, they are also intended to be, in the strictest and best sense of the word, seminaries for teachers—for teachers of schools and lyceums. They are intended to furnish the means for teachers to support and educate themselves, and at the same time to construct their own apparatus and various instruments of instruction, while they are learning the modes of using them, and acquiring the knowledge they are designed to illustrate. Lyceum seminaries are intended to unite manufactures of apparatus for illustrating various departments of science, and the qualification of teachers to use the instruments for diffusing the science among all classes of the community, and in every section of our country.

Experience, on this subject, has already proved, that young men, and even lads, after a short time, and pro-

bably young ladies and misses, can pay, by their own industry, all their expenses of board, clothes, books, tuition, &c. and at the same time acquire a more thorough, useful education, than it is possible for any college or other institution, without moneyed labor, to give them. Such being the testimony of experience; the conclusion follows, that any plain farmer's son, or poor mechanic's daughter, can have the means of acquiring a *better education* than the money of the rich can purchase for their children.

In all the departments, and in all the operations of the lyceum system, there is harmonious action and reciprocal and united effort. So, between the lyceum seminaries in all parts of the country, there is intended to be a virtual, though, perhaps, not a formal connection. In many of their operations, especially in the manufactory of apparatus, they may render each other very important aid; and, by their united efforts, furnish, not only colleges, academies and high schools, but lyceums, common schools and families, with more abundant, cheaper and better instruments of instruction, *tools of knowledge*, than can possibly be furnished from any other source.

The whole plan of lyceum seminaries will embrace, then, a central institution, which shall combine a seminary for teachers and a manufactory of apparatus, for a part, and a prominent part of its manual, productive exercises. This institution will, as far and as fast as its means will permit, furnish facilities to any other manual labor schools, by supplying them with prints, tools, experience, &c. as aids to their intellectual productive exercises. With such aid, any manual labor school, now in operation, might engage in the manufactory of globes, mechanical powers, geometrical solids, and most of the instruments for the *practical sciences*, if not for the more abstract and abstruse subjects.

These statements, Mr. Editor, are not from theory or conjecture; they are from experience for a course of years; having conducted an agricultural school for ten years, in which the pupils paid all their expenses by their own industry; and having also had much apparatus made under my direction, and, in a great measure, by the strength and skill of lads and misses from fourteen to eighteen years of age.

The question will naturally arise, by what means can these seminaries, whose prominent feature is self education and self support, be established through our country, in such numbers, and under such circumstances, as to hold out proposals, and afford opportunities, for the children of every class, without distinction, to *secure to themselves* the rich blessing of a sound physical, intellectual and moral education.

To this natural and important question the answer may be, perhaps, by COUNTY LYCEUMS. It is evident that the whole community, and all sections of our country, can more conveniently act, and co-operate with each other, through the medium of county societies, than by any other divisions or districts known throughout the states. As counties through the union will, probably, not average more than forty miles in diameter, very few would have to travel more than twenty miles, and a large majority less than ten miles, to attend county conventions, or the quarterly meetings of county lyceums. Considering the importance, and, if properly conducted, the instructive and interesting character of education conventions, which county lyceums might easily furnish at their quarterly meetings, a general attendance of teachers, school committees, parents, children, and the lovers of knowledge and the friends of education generally, might reasonably be expected. And by their attendance, a warm and generous sympathy, an organized and vigorous system of measures and efforts, might be sustained, for the great and all important cause in which every man, woman and child, is equally interested.

Under such views and feelings, I have witnessed, with no little satisfaction, proposals for *simultaneous action* in this cause. The proposal has been made, and responded to from several sources, for county education conventions, in all the states and all the counties in the union, on the first Wednesday of November next, for the purpose of organizing county lyceums, as a preparatory step for accomplishing any other objects, which might be found practicable and desirable. Among the objects

which county lyceums might, at an early period, take up to advantage, would be seminaries for self-education and self-support. In connection with these, and perhaps in many instances preceding them, *circuit schools*, for the purpose of weekly, semi-weekly, or even semi-monthly courses of instruction, where more frequent courses could not be sustained, might be taken under consideration and *carried into effect*, by county societies. Indeed, the advantages of associations for systematic and concentrated effort, in the diffusion of knowledge, are so great and so evident, and the results of county lyceums in particular, have been so uniformly and so strikingly happy, that the proposal for such measures only needs to be made to be seconded, and to secure the general sanction of enlightened individuals and communities.

On the subject of simultaneous action, through the medium of county conventions and county lyceums, it is gratifying to be able to state that numerous facilities may be procured to render the meetings, not only useful, but instructive and entertaining. Thomas S. Grimke, of Charleston, S. C. as a committee, appointed by the literary and philosophical society of that state, has recently prepared an address to the citizens of South Carolina, giving an exposition of the lyceum system in its various departments and operations, from national and state societies, down to *family lyceums*, and from exercises for mutual and self-instruction in the dead languages and the most abstruse sciences, down to penmanship, reading and orthography. This address, which is as applicable to the citizens of other states as those of S. Carolina, can easily be procured, and portions or the whole of it read, as one of the exercises of the proposed conventions.

Numerous other pamphlets have been published on the subject, some of which contain the forms of constitutions, among other things to facilitate the operations and the objects of the meetings.

All the materials and means for commencing *county museums*, or cabinets of nature and art, are at hand in great abundance. In the numerous cabinets already collected, both by individuals and by institutions, are duplicates which the owners will gladly appropriate to such an object, whenever an opportunity is offered.

In the gold regions at the south are several county lyceums, whose prominent object is to collect and exchange specimens. From this source, a museum in each of the eleven hundred counties in the states, may be supplied immediately with specimens of gold ore.

In every county a museum might be commenced, at the first meeting, by specimens carried by those who should attend it. The specimens thus collected, if not known by those who presented them, might be named and described by some other persons present, as in nearly every county, are a few individuals who have some knowledge of natural history.

Among the most encouraging and gratifying circumstances, as an aid in promoting the objects of county lyceums, is a resolution recently passed by the board of managers of the Baltimore Union Lyceum, which is as follows:

*Resolved*, That this board esteem the organization of county lyceums throughout the union, as an important step for the advancement of American education: that we will prepare, as soon as practicable, specimens of minerals, plants, penmanship, map drawing and needlework, for any county lyceum which may apply for the same, and that we invite the school and other juvenile lyceums connected with our society, to render their assistance in accomplishing the object of the resolution.

As great as this resolution may at first appear, it can be accomplished with great ease by bringing in the aid of the juvenile members of the society, by which several thousand specimens are already collected for that object; and if similar measures should be adopted in all our principal cities, as they have already been in several, a system of exchanges in the works of nature and of art, might be easily and readily instituted, which would give, not only to every county lyceum, but to every village and neighborhood lyceum and school, and even to every family, an instructive and valuable cabinet of natural history, or a museum of natural and artificial productions and curiosities.

The above statements, facts, views, plans and suggestions, are very respectfully submitted for the considera-

tion of such of the friends of education and general improvement, as may have an opportunity and a disposition to examine them, by their friend,

JOSIAH HOLBROOK.

APPROPRIATIONS AT THE LAST SESSION.

The following is copied from the Charleston "Mercury," derived from a letter written by Warren R. Davis, esq. of the house of representatives, saying—"I enclose an exact account which I have just received, of the enormous appropriations of the present year. To this may be added, another million for private claims, which will make an aggregate of near eighteen millions, after the public debt has been paid!"

BILLS—HOUSE REPRESENTATIVES.

Aggregate amount of appropriations contained in the following named bills of a public character, which passed in 1833, '34, 1st session, 23d congress.

Bill, No. 36. Making partial appropriation for the support of government for 1834	\$770,880
109. Appropriations for the Indian department for 1834	129,545
110. For the naval service for 1834	3,548,072
159. For the improvement of the Hudson river	70,000
164. For the following objects to wit—purchasing live oak frames, for a frigate and sloop of war	50,000
Furnishing hospitals	64,000
Building naval magazines	24,000
Building naval store ship	40,000
Building the small vessels of war	70,000
Repairs of marine barracks	8,000
181. Appropriations for fortifications for 1834	870,594
182. For Indian annuities for 1834	927,591
207. For the public buildings and other purposes	76,500
212. For revolutionary and other pensions for 1835	1,269,281
236. For the military academy	139,000
240. For light houses	200,638
246. For the military service for 1834	3,492,763
269. For improvement of Harbors	702,283
274. For a road in Florida, &c.	13,000
279. Do. in Arkansas	10,000
283. For the civil and diplomatic service for 1834	2,563,448
303. For the Potomac bridge	130,000
393. To complete the improvement on Pennsylvania Avenue	8,000
446. To purchase Washington's papers	25,000
452. For experiments—steam engines	5,000
480. For rebuilding frigate Constitution	180,000
486. Reappropriating unexpended balance for the payment of Georgia militia claims	37,600
518. Making appropriations for Harper's Ferry armory	3,000
541. To carry into effect Indian treaties	282,100
	15,710,295

SENATE BILLS.

S. 29. For certain roads in Michigan	\$58,000
S. 49. Road in Arkansas	17,000
S. 75. Road, Memphis to Little Rock, Arkansas	15,000
S. 79. For the Cumberland road	750,000
S. 97. Improvement, Wabash. held up by the president	20,000
S. 203. For the benefit of the city of Washington	70,000
	\$16,640,295

N. B. For the different items in each bill see the corrected copies of bills, accompanying this statement.  
Private bills, about \$1,000,000

The Mercury has some severe remarks on certain of these appropriations, and especially on that for the Cumberland road, which, it alleges, the friends of the president said would be vetoed. It also speaks of the approval of the bill concerning the navigation of the Hudson, and the disapproval of the less money bill to improve that of the Wabash.

PRESIDENTIAL ELECTION OF 1832.

From the New York Commercial Advertiser.

We have been frequently asked the question what was the majority of the votes of the people for Jackson in 1832? Also whether Van Buren had a majority for vice president? The latter question we have answered repeatedly in the negative, but to the former we have been unable to reply, owing to the returns from many states being incomplete. We are at length enabled to present the following statement, which is in the main correct. It gives the majority only in *Missouri*, viz: 5,159 for Jackson; and the votes by the people in all the other states except *Alabama* and *South Carolina*, (the former of which voted for Jackson and Van Buren, and the latter for Floyd and Lee), will be found below. It will be seen that Mr. Van Buren was in the minority at the last election, as he was in this state when he ran for governor in 1828. General Jackson, it will also be observed, obtained a less majority by the people in 1832 than in 1828, although he received a greater number of electoral votes.

VOICE OF 1832.

Jackson and Van Buren	583,810
Jackson and Barbour	12,722
Jackson and Wilkins	90,983

687,515

Clay and Sergeant	328,033
Wirt and Ellmaker	255,873
Anti Jackson (in Tennessee)	1,436
	585,342

\*Majority for Jackson 102,173  
For vice president.

Barbour	12,722
Wilkins	90,983
Sergeant	328,033
Ellmaker	255,873
Anti Jackson in Tennessee	1,436
	689,047
For Van Buren	583,810

Majority against Van Buren 105,237

The preceding has brought to recollection some other matters belonging to the subject in general, which it is probable that we shall prepare and publish at an early day—for a better understanding of the "voice of the people," and the conditions of the constitution. Ours is a federal and not a consolidated government. The people, strictly speaking, are not really represented in either of its departments, legislative or executive.

FREEMASONS.

Whatever objection adhering masons, and others who had long retired from the society, may have entertained concerning political anti-masonry, and especially on account of the manner which anti-masons sometimes adopted to accomplish their great ostensible object—we think that there are not many reflecting and still adhering masons, and none that have retired, who will not assent to the fairness of the facts as stated in the following resolutions—and that hundreds may be induced to do all that they can, in a quiet and orderly way, to urge forward and bring about the result aimed at.

When a man is placed on the support of what he considers his own just rights, he gathers up his strength and oftentimes does things that are repugnant to his private wishes, or even personal convenience. Thus, if one person says to another, you shall walk on the shady side of the street when the thermometer is at 95°—the latter feels immediately disposed to say *I won't*—and will, in a spirit of independence, take the sunny side of the way. The principle of this proceeding needs no illustration; for, in claiming the right of action, in many respects, very prudent persons may place themselves in an attitude of resistance to wholesome recommendations, if assuming the shape of dictations, under penalties threatened for non-compliance. We have nothing to say against this rule of action, in such cases—but we think that every person is bound to yield up his speculative opinions, if offensive to the community in which he lives—his right to hold them being unquestioned. And this, indeed, is in strict correspondence with the familiar and daily acts of a large majority of persons—in dress, manners and habits.

MASONIC MEETING IN WORCESTER COUNTY, MASSACHUSETTS.

At a meeting of freemasons from all parts of the county of Worcester, assembled at Worcester on the 18th day of August, 1834, hon. Aaron Tufts, of Dudley, was elected chairman, and John G. Thinston, of Lancaster, secretary. The views and opinions of those present, on the present condition of the institution having been freely expressed, a committee was appointed, consisting of William Lincoln, of Worcester, hon. Joseph Bowman, of New Braintree, hon. William S. Hastings, of Mendon, Linus Child, esq. of Southbridge and hon. Charles Russell, of Princeton, to report resolutions expressive of the sense of the meeting. The following resolutions having been fully considered, were unanimously adopted:

Resolved, That under existing circumstances, we believe it has become a duty, which freemasons owe as well to the public as themselves, frankly to declare their views of the masonic institution, and of its present condition.

Resolved, That, in our opinion, the masonic institution was originally established for benevolent and good purposes—that in its practical operation, in this Commonwealth, we have known nothing conflicting with moral, social or civil duty—that here it has been of honorable character and charitable tendency—embracing among its members many virtuous and pure men, and patriotic and worthy citizens—and that masons can never divest

\*The electoral vote of 1828 was—

For Jackson	650,943
Adams	511,475

Majority	139,468
Do. in 1832	102,173

Decrease of majority..... 37,295

themselves of self-respect, nor consent that others should deprive them of civil rights, by reason of their having been connected with the institution.

*Resolved*, That in the changes and improvements of society, we believe the masonic institution has now become unnecessary; and while social, charitable and benevolent objects can be effectually accomplished in other modes more congenial with public sentiment, we consider it no longer useful nor expedient to sustain its organization, at the expense of the peace and harmony of society.

*Resolved*, That respectful regard to public opinion, to the sentiments of that great portion of the community unconnected with the institution or with its assailants, to the spirit of recent legislative enactments, and to the tranquillity of society, requires that the institution should now be voluntarily dissolved by its members.

*Resolved*, That the institution may now be relinquished by the free and voluntary act and common consent of its members without sacrifice of honor or integrity.

*Resolved*, That under the existing circumstances of the masonic institution, we deem it a civil duty, which we have always regarded as paramount to all masonic obligations, to endeavor to effect the entire extinction of that institution by voluntary and general relinquishment.

*Resolved*, That the act of incorporation of the grand lodge of Massachusetts having been surrendered—an act of the legislature having declared any unauthorised oath or obligation unlawful—the meetings of most of the lodges in the state having been suspended, and their charters suffered to expire by their own limitation, and masons in different parts of the commonwealth having generally long since ceased to act as such, we believe their views in regard to the masonic institution are in accordance with our own. And appealing to their candor and sober judgment to confirm the correctness of these opinions, we do respectfully, but earnestly, invite other masons to make such expression of their views as shall leave the community no occasion longer to doubt on the subject.

*Resolved*, That these resolutions, signed by the chairman and secretary, be communicated to other masons, and to the editors of newspapers in the county for publication.

AARON TUFTS, chairman.

JOHN G. THURSTON, secretary.

Those proceedings must have a powerful effect in the eastern states, for the recommendations will be generally adopted, unless by those who would keep up or renew the "excitement" under influences that masonry has always held one of its strongest protests against. It has been stated that four-fifths or seven-eighths of the lodges and chapters in New York have been closed, and we believe that the society is in a rapid state of decline in several other states, as having become unnecessary, as well as inexpedient, if ever indeed it was generally useful, or fitted to the present improved state of society, which teaches us to regard every worthy man as a brother.

We have had good opportunities of knowing the truth on the subject, (whether in secret movements or public proceedings), and feel it right on this occasion decidedly to say—that no solitary case ever came under our observation in which masonry entered the ballot-box, unless remotely, or on the same principles by which all men are governed in the ordinary business of life. We prefer certain persons as our tailors, shoe-makers, hatters, &c. because we are personally acquainted with them, and they have served, or will serve us, as well and as reasonably, as other persons can or will do, and so it is among all sets or parties, religious or social—and further than on these simple elements, we have no personal knowledge or reason to believe, that masonry has interfered in preferences to public places of honor or profit, in any manner whatsoever. We speak only for ourselves, and have reference to our own experience, only.

#### MINT OF THE UNITED STATES.

Philadelphia, 9th July, 1834.

SIR: The certified copy of the act relative to the gold coins of the United States, forwarded with your letter of the 7th, has been received.

In regard to your suggestion of affixing to the gold coinage, after the 31st inst. the date of the month, to designate the new coins from others of the current year, I have respectfully to observe, that for the purpose of such designation, the engraver has been directed to execute new dies, in which two improvements, contemplated for some years past, shall be introduced: one is, the omission of the words "pluribus annis" on the reverse; the other is, the substitution of a new head of liberty without the dress cap—the hair being only restrained by the diademe bearing the inscription "Liberty."

The cap has by many been regarded as intended for the classic cap of liberty, and under this idea has received favor, as proper to be retained, even with some who have not been insensible that it impaired the beauty of the coin. I have, how-

ever, to remark, that the cap on our coins was not designed as the liberty cap. It was not introduced on the silver coins until about the year 1806, and was then copied from what was considered a handsome specimen of the female head dress of that day. On the gold coins a cap had been introduced from the first, which has certainly some resemblance to the usual form of the cap of liberty. I am, however, satisfied, from several considerations, and indeed have the direct assurance of Mr. Eckfeldt, the chief coiner, who has been familiar with the whole subject from the first, that it was not so intended. When a cap was introduced, as before stated, on the silver coin, that on the gold was conforming thereto.

It is wholly at variance with classic authority to place the pileus, or liberty cap, on the head of the figure representing liberty. When it is introduced in statuary, or on a medal, or a coin, it is found borne by liberty herself on a wand, or in her hand, or appears at her feet, and indicates her as the beneficial being through whose influence the blessings of freedom are conferred on others; and such a cap, placed on a freed-man, we know from the Roman annals, was the insignium of his freedom.

This view of classic propriety was, no doubt, very familiar to those under whose authority the first coinage of the United States commenced. The early copper coins bear the cap of liberty, but never on the head of the figure. The coinage of France of that period, presents also various pertinent examples in point.

It may be satisfactory further to remark, that soon after my appointment to the charge of the mint, I addressed to Mr. Jefferson, who at the commencement of the mint was a member of the government, then resident in this city, an inquiry in regard to the authority on which the devices on our coins had been originally adopted, and particularly presented the question as regards the cap on the head of liberty. His recollection, he informed me did not reach the subject, and no notes had been preserved in regard to it; but he was direct and explicit as to the unfitness of placing the pileus or cap of liberty on the head of the figure—adding, "for we are not emancipated slaves."

I have the honor to be, with great respect, &c.

SAMUEL MOORE.

Hon. Levi Woodbury, secretary of the treasury.

We meet with the following in a scrap lying on our table, but from whence derived we cannot say. It is applicable to the matters stated or suggested by the director of the mint—

"The right of covering the head was in early times a mark of liberty. Slaves always went bare headed, and one of the ceremonies of emancipation was the placing the cap on the head by the former master. Thus the cap became the symbol of liberty, and has played a part in many revolutions. The Swiss owe their liberty to the hat which Gesler ordered to be saluted as a mark of submission. The arms of the united Swiss cantons have a round hat for a crest. The cap was also used in France as a symbol of liberty at the beginning of the revolution in 1789."

#### SUPPRESSED SPEECH OF MR. J. Q. ADAMS.

It will be recollected, and may be seen by a reference to our journal of the proceedings of the house of representatives, that Mr. Adams made four attempts to get a hearing for the legislature of Massachusetts, by whom certain resolutions on the state of the currency and the removal of the public money, had been passed; and that, on the 4th of April, when a seemingly fair opportunity presented itself for delivering his opinions in support of these resolutions, the previous question was called, as if by previous arrangement; and, that being carried, he resorted to the press to make public those remarks which it was his intention to address to the house.

This suppressed speech has been widely circulated. It is one of the most powerful articles that ever came from the strong pen of Mr. Adams, who, it is admitted, holds one of the most powerful, as well as the sharpest pens in the world, as the public records and his private correspondence certainly show. The whole is too long for insertion at once, and it is difficult to make the selection of an extract—but we have preferred for the present, his remarks on the charges of corruption so liberally bestowed on the bank of the United States, and the friends of that institution, and yet so foolishly or wickedly persevered in; foolishly, because the enemies of the bank impeach THEIR OWN PARTY in the imputed corruption—and wickedly, for we must needs believe that those who made such charges have no manner of belief in the truth of them, a few solitary and important cases, perhaps, [and only perhaps,] excepted.

Extract from Mr. Adams' suppressed speech.

And now, sir, let us follow the track of the secretary of the treasury, and inquire what has been the cost of this contested election to the people of the United States. The secretary of the treasury tells you, that the sum of \$60,000, spent in the space of four years upon electioneering pamphlets by the bank, is sufficiently startling. Stayling, Mr. Speaker, is an emotion, and not a calculation; the word is sensitive, and not meditative; it indicates passion, and not reflection. It is not the word or the thing best adapted to the operations of a financier. Calculation is always cool. Let us keep ourselves cool, and compare accounts. The bank in the course of four years have spent \$60,000 in printing and paper, they say in self defence; the president of the United States says, in electioneering against him, and for a recharter to themselves. This money was the pro-



perty of the stockholders, and one-fifth part of it, \$12,000, belonged to the people of the United States. Sir, the people of the United States own 70,000 shares of the stock of this bank. When the president of the United States declared war against the institution, every one of those shares was worth one hundred and thirty dollars. What are they worth now? At the utmost, one hundred and five dollars a share. Compare the prices current of the two periods, and you will find that every share of bank stock owned by the people of the United States, has lost twenty-five dollars of its value to them by this electioneering of the president of the United States, against the bank, and for himself. Twenty-five dollars a share upon seventy thousand shares is one million seven hundred and fifty thousand dollars—and this is the sum which the president of the United States has levied upon the people, by his electioneering against the bank and for himself.

Thus, then, stand the comparative accounts. The banks have cost the people of the United States, in electioneering against the president, and for themselves, twelve thousand dollars. The president has cost the people in electioneering against the bank, and for himself, one million seven hundred and fifty thousand dollars. And in this same contest of electioneering, while the banks have expended \$18,000 of the money of the other stockholders, the president of the United States has taxed them to the amount of seven millions of dollars. Eight millions seven hundred and fifty thousand dollars, is the sum levied by the president of the United States upon the stockholders of the bank for his electioneering, and the secretary of the treasury tells us that \$50,000 expended in the same contest by the bank is sufficiently *startling*.

There is, indeed, this difference between the sixty thousand dollars money of the stockholders expended in this contest by the bank, and the eight millions seven hundred and fifty thousand dollars of the same money levied in the same contest by the president. With the sixty thousand dollars, industry was employed, and for them an equivalent was received. Information was circulated among the people upon subjects deeply affecting their own interests, and the materials were supplied for making up a correct public opinion. But the eight millions seven hundred and fifty thousand dollars tax levied upon the stockholders of the bank by the president of the United States, in electioneering for himself, are so much property destroyed. They are so much of the capital stock of the nation consumed as by fire; no information has been communicated by their destruction to the people; no industry has been employed; no equivalent for the loss received. Far otherwise. If there be a widow or an orphan whose dower or whose inheritance consisted of ten shares in the stock of the bank, a tax of twenty five dollars upon each and every one of those shares has been levied upon that widow or orphan, as contributions to his re-election. So much of their property has been taken away from them, not for the benefit of others, but to be destroyed. The capital stock of the bank of the United States, on the first of January, 1832, was worth in the market at least forty-five millions of dollars, and every stockholder in that institution might have paid his debts or purchased lands with his stock, at an advance of thirty per cent. To pay debts or to purchase lands at this day, the same stock may be applied at an advance of two, three, or at most four per cent. The difference is the tax levied by the president of the United States for his re-election, and his warfare against the bank. Not spent in printing and circulating pamphlets, and propitiating printers, but nullified, destroyed; sunk in depreciation, without benefit to any human being.

Thus then, the reasons of the secretary of the treasury for removing the public deposits from the bank of the United States and its branches, are insufficient. They are insufficient even for ordering and directing *otherwise* than that the deposits should be made there, which was the whole extent of his lawful authority. They are worse than insufficient for removing from them funds which had been already deposited there, for which he had no lawful authority, and which was usurpation.

Mr. Speaker, I believe these charges of dishonesty and corruption equally ungenerous and unjust. They are ungenerous, because they are made under the protection of official station, against private citizens, in a manner which deprives them of the means of defending themselves and vindicating their characters. They are unjust, because made, not in the candid, open and explicit forms which ought to mark all official denunciations against individuals, but in a manner consciously evasive and distrustful of itself; and because they are untrue.

I say they are made under the protection of official station against private citizens; for, sir, let it be remembered that the president and stock directors of the bank of the United States are not officers of the government. They are neither appointed nor removable by the president of the United States. The United States hold seven millions of dollars of the stock. The president and senate appoint five out of the twenty-five directors, and the charter contains sundry provisions for making the bank the agent of the government for the performance of certain duties and services. But the president and stock directors are private citizens, entitled to the enjoyment of all the rights of other private citizens. The management of the affairs of the bank is intrusted to them, together with the government directors, under the general law of corporations, of acting by majorities, and so long as they keep within the pale of action warranted by the laws of the land, a charge of dishonesty or corruption against them, uttered by the president of the United States, or the secretary of the treasury, is neither more nor less

than slander, emitted under the protection of official station against private citizens. This is both ungenerous and unjust. It is an abuse of the shelter of official station to circulate calumny with impunity.

Observe, too, that those charges, deeply as they affect the character of private individuals, are never made directly against them by name. No! it is *the bank*, that is the monster—the moneyed aristocracy—the mammoth corporation—that is the sink of corruption, the purse-proud tyrant, corrupt itself, and practising corruption upon the whole people! And to what an odious extent have these charges been carried! Have you yourself, Mr. Speaker, been exempted from the general imputed contamination? Deeply as you may have been dipped in the Stygian waters of Jacksonism, are you yet not vulnerable at the heel? Has it not been given as a reason for removing the deposits only sixty days before the meeting of congress, that, if the last congress had been in session but one week longer, *the bank* would have corrupted two thirds of the members of both houses, and purchased a recharter beyond the reach of a veto? And were not we ourselves—was not this present congress held accessible to the same corruption, in advance? Was not this formally assigned as the reason for withdrawing the deposits without waiting for our meeting? And is not this infamous imputation authenticated beyond all daring of denial? *Infamous*, I say, to us, to the people who chose us as their representatives, and to the president and stock directors of the bank, if true; *infamous*, if not true, in him who uttered it.

Now, sir, to set you and all the members of both houses of the last and the present congress aside, and, I say, strip the president and the secretary of the treasury of their official stations, and neither of them would dare to say to or of Nicholas Biddle, in the presence of credible witnesses, that he was a dishonest or corrupt man; and what I say of Nicholas Biddle, I say of Richard Willing, of Manna Wyre, of Matthew L. Bevan, of Andrew White, of John Sargeant, of James C. Fisher, of Joshua Lippincott, of Charles Chauncy, of Matthew Newkirk, of Lawrence Lewis and of John Holmes. These were the directors of the bank who published their defence against the denunciation of the president's cabinet *rescript* of the 18th of September last. Now, I repeat, strip Andrew Jackson and Roger B. Taney of the little brief authority which invests them with the privilege of slandering their fellow citizens with impunity, and neither of them would dare to charge any one of those men whom I have named, neither before their faces, or any where in the presence of credible, impartial witnesses, with dishonesty or corruption, either in general terms or by any one specification. Neither of them would dare go to the city of Philadelphia, and there in any possible manner avow a charge against any one of those men, which could make up an issue for a test of character by a verdict of their peers. It may indeed, be a question, whether even a president of the United States, or a secretary of the treasury, does possess the right of pouring forth slanders upon private individuals, wholly without responsibility to the laws protective of character. It cannot be doubted that, *under color* of the discharge of official duty, it is in the power of those high dignitaries to blast the reputation of individuals by groundless imputations for which the injured party would in vain seek reparation or indemnity from the laws of his country. But even this odious privilege has its limits. Neither a secretary of the treasury, nor a president of the United States, is wholly above the law. No one will deny that both those officers are, as individuals, liable to action or indictment for slanders, like others, and there seems to be a full consciousness of this, in the undeviating uniformity with which they point their official defamation at *the bank*, instead of directing their charges, as fair and honorable adversaries ought to do, at the president and stock directors of the bank, the real objects of their accusations.

When the president of the United States said, that if the last congress had continued in session one week longer, the bank would by corrupt means have procured a recharter by majorities of two thirds, in both houses of congress, to what portion of the members of both houses did this honorable testimonial of his confidence specially apply?

At the preceding session of the same congress a bill to recharter the bank had passed the senate by a vote of 28 to 20. It had passed in the house by a vote of 107 to 85, and this was immediately after an investigation of the affairs of the bank by a committee of the house, who went to Philadelphia for that express purpose, and every member of that committee is also a member of this house. Of the 107 members of the house who voted for that recharter, 50 are members of this house; of the 85 members who voted against it, 41 are members of the present house; and there is in this proportion on both sides, a coincidence so remarkable that I cannot help inviting to it the attention of the house. It has been assumed by the president of the United States, and repeated by the secretary of the treasury, and by the report of the committee of ways and means, that the re-election of the president, after his veto upon this very bill to recharter the bank, is of itself equivalent to a verdict of the people against the bank. Mr. Speaker, I shall not inquire what sort of an estimate this position supposes the people to have formed of all the other measures of a four year's administration. It seems to me an admission, that in all the rest of his measures the people saw and felt nothing, which could have secured to him his re-election, but that this crushing of the monster was not only meritorious in itself, but sufficient to outweigh a mass of demerit in the whole system of the administration be-

sides, which would have forfeited the claim to that approbation of the people of which the result of the election was the test. Sir, if the president of the United States is willing that his reputation as a statesman at the head of this union, should go down upon the records of this age to the admiration of after times, on the single and solitary foundation of his having destroyed the bank of United States, I can have no possible objection to his being gratified. He will suffer no injustice by having that measure applied to his foot as the standard, and then inferring from that the whole man. "*Ex pede Herculeum,*" all the rest will be perfectly congenial with it; and such I have no doubt will be the judgment of posterity. But, sir, if his re-election can, with any pretence of reason, be considered as an evidence of the sentence of condemnation by the people against the bank, then I say that the re-election of the members of the house, who voted for and against that bill to recharter the bank, is evidence far more conclusive and unequivocal of the sentiments of the people with regard to the bank and the recharter, than the presidential election was or could be. Now, sir, every member of this house who voted for or against that bill to recharter the bank, has passed through that ordeal of re-election since he gave that vote; and it so happens that the proportion of re-elected members of those who voted for and against the recharter, is precisely the same. One member of the house who voted for the recharter, Philip Doddridge, of Virginia, we soon after followed in melancholy procession to the grave; and sure I am that there is not a Virginian heart who hears me, but will respond to me when I say, that his vote was no feeble testimonial of the purity of purpose with which every vote was given on that occasion, which now stands recorded in association with his. Had he lived and consented to serve, there can be no doubt that he would still have been one of us. There would then have been 51 re-elected members of 107 members who voted for the recharter; there are 41 of 85 who voted against it; and as 41 is to 85 so 51 is to 107. Sir, the doctrine of chances, and all the other elements which are mingled up in the process of electioneering throughout this whole union, has not produced a variation from the proportion, to the amount of a single man; and what is the inference that I draw from this curious and extraordinary arithmetical demonstration? Why, sir, that all the members on both sides of the question, those who voted for, and those who voted against the recharter, faithfully represented the sentiments of their respective constituents; and this result, so uniform, of the elections to this house throughout the whole union, is of itself an honorable vindication of the integrity of its members, from the baseness imputed to them by the chief executive magistrate.

This vindication, it must also be observed, is more necessary to that portion of the members of the house who voted against the recharter, and were the devoted friends of the president and his administration, than to the rest. It was from the 85 members who voted against the recharter that the recruits of corruption must have been levied, to constitute with the 107 who had already voted for the recharter, that majority of two-thirds which could have effected the recharter in defiance of the veto. Of the 85 names which stand thus recorded, 21 must have changed their votes from the negative to the affirmative before the recharter could have been accomplished by a majority of two-thirds; and this is what the president of the United States considered not only as practicable, but as certain to have been effected, by corrupt means, if the last session of congress had continued one week longer. Mr. Speaker, I do not believe there was one member of the last congress who voted against the rechartering of the bank who could have been induced to change his vote by corrupt means, had the president and directors of the bank been base enough to attempt the use of them. I believe this imputation to have been as unjust as it was dishonorable to both the parties implicated in it. That it was cruelly ungenerous towards the friends of the administration in this house is my deliberate opinion; and, as I am well assured, there was not one of them justly obnoxious to the suspicion, so there is no one of them who can be considered exempted from it. And now, when we reflect that this defamatory and disgraceful suspicion, harbored or professed against his own friends, supporters and adherents, was the real and efficient cause, (to call it a reason would be to shame the term), but that it was the real motive for the removal of the deposites during the recess of congress, and only two months before its meeting, what can we do but hide our heads for shame? Sir, one of the duties of the president of the United States—a duty as sacred as that to which he is bound by his official oath, is that of maintaining unsullied the honor of his country. But how could the president of the United States assert in the presence of any foreigner a claim to honorable principle or moral virtue, as attributes belonging to his countrymen, when he is himself the first to cast the indelible stigma upon them. "*Vale, venalis civitas, mox peritura, si emplorem inventas,*" was the prophetic curse of Juggartha upon Rome, in the days of her deep corruption. If the imputations of the president of the United States upon his own partisans and supporters were true, our country would already have found a purchaser.

Mr. Speaker, the reason thus assigned by the president of the United States to his secretary of the treasury, Mr. Duane, for retaining the public moneys from the bank of the United States, before the meeting of congress, is not among those which his secretary of the treasury, Mr. Taney, has assigned to congress after their meeting. That it was the true and efficient cause of that removal is evident, not only from the positive testimony of

Mr. Duane, in his third letter to the people of the United States, but from the utter futility of the reasons assigned by Mr. Taney. There is an evidence in facts themselves, and in the characters of men, which authenticates testimony beyond the reach of denial. Mr. Duane states that after Mr. Reuben M. Whitney, on the very day when he, Mr. Duane, entered upon his duties as secretary of the treasury, had communicated to him the determination of the president to cause the public deposites to be removed before the meeting of congress, the president himself, the second day after, confirmed the information, and said "that the matter under consideration was of vast consequence to the country; that, unless the bank was broken down, it would break us down; that if the last congress had remained for a week longer in session, two-thirds would have been secured for the bank by corrupt means, and that the like result might be apprehended the next congress; that such a state bank agency must be put in operation before the meeting of congress as would show that the United States bank was not necessary; and thus some members would have no excuse for voting for it."

"My suggestions (adds Mr. Duane) as to an inquiry by congress, as in December, 1832, or a recourse to the judiciary, the president repelled, saying it would be idle to rely upon either; referring, as to the judiciary, to the decisions already made, as indications of what would be the effect of an appeal to them in future."

These, then, were the effective reasons of the president for requiring the removal of the deposites before the meeting of congress. The corruptibility of the congress itself, and the foregone decisions of the supreme court of the United States—the legislative and judicial authorities were alike despised and degraded. The executive will was substituted in the place of both. These reasons had already been urged without success upon one secretary of the treasury, Louis McLane; he had been promoted out of office, and they were now pressed upon the judgment and pliability of another. He, too, was found refractory, and displaced. A third, more accommodating, was found in the person of Mr. Taney. To him the reasons of the president were all sufficient, and he adopted them without reserve. They were all summed up in one—

"*Sic volo, sic jubeo, stet pro ratione voluntas.*"

#### TENNESSEE CONVENTION\* AND THE PRESIDENT.

*From the Nashville Banner.*

The members of the convention of the state of Tennessee, assembled in the town of Nashville, met in pursuance to notice given, in their hall, on Wednesday, the 23d day of July, 1834. The hon. Willie Blount, ex-governor of the state, being called to the chair, col. W. K. Hill, was appointed secretary; and the object of the meeting being made known by colonel Allen, of Smith, the following preamble and resolution were submitted by him:—

Whereas, the members of this convention have heard with pleasure, that their fellow citizen, the president of the United States, is expected soon to arrive at the Hermitage on a visit to his family and friends; and whereas, the organized and systematic attempts which have been lately made, to degrade his character and destroy the usefulness of his administration, have been well calculated to render the high station to which he has been twice called by the American people, one of peculiar and painful anxiety to his friends, and one of no ordinary responsibility to himself: And whereas, the people of Tennessee on this, as on all other occasions of his eventful and patriotic life, have entire confidence as well in the integrity of his purposes as the propriety of his measures: And whereas, the members of this convention are desirous, so far as they can do so, by an expression of opinion, to encourage him in the policy of his administration, and to show the world, that at home among those who have known him longest and known him best, that Andrew Jackson has a character for patriotism and virtue, which faction, however violent, or party spirit, however malignant, will find it vain to calumniate. Therefore,

Resolved, That a committee, to consist of twenty-two members, be appointed to consider and report the most suitable manner of testifying their respect for the chief magistrate of the U. States:

Which was adopted, and in pursuance thereof, the chair appointed Mr. Walton, chairman, Mr. J. A. McKinney, Mr. R. J. McKinney, Mr. Senter, Mr. Gillespie, Mr. Smith, Mr. Weakley, Mr. Cheatham, Mr. Childress, Mr. Fuiton, Mr. Robertson, Mr. Huittzman, Mr. Alexander, Mr. Allen, Mr. Carter, Mr. Nelson, Mr. McClennen, Mr. Stephenson, Mr. Kineannon, Mr. Montgomery, Mr. Bradshaw, and Mr. Webster, said committee, who reported to another meeting the following address and resolution:

To ANDREW JACKSON, president of the United States:

SIR: Your fellow citizens of the state of Tennessee, assembled in convention at Nashville, informed of your arrival at the Hermitage, for themselves, and in behalf of their constituents, tender to you their warm and respectful salutations.

They remember that you are one of the few survivors of that band of patriots, by whose exertions our independence was achieved; and that you are one of the surviving members of that convention, which framed the existing constitution of the state under which the people have prospered, and lived happily, for almost forty years.

\*The convention is in session to revise the constitution of the state.

They remember, with gratitude, the many meritorious services which you have rendered to our country, in peace and in war; in the councils of the nation and on the battle field; and they feel an honest pride in claiming to be citizens of the same state, with one who has done so much to establish, and preserve the independence, promote the happiness, and exalt the character of the American people.

They have not been unconcerned spectators of the bold, systematic, and reckless efforts of your enemies, to weaken and destroy that confidence which your countrymen have reposed in you; and they but speak the sentiments of those whom they represent, when they assure you that the measures of your administration have received their decided approbation, and that they have always retained unshaken and undiminished confidence in your republican principles, and firm determination, in all your measures to endeavor to protect the interests of the people, and defend their rights as secured by the constitution.

They will not attempt to designate, with a separate approval, all the prominent measures of your administration.

Your official conduct, during your first term of service, has been sanctioned at the ballot box. To this decision the people of the state of Tennessee contributed with great unanimity.

A knowledge of public opinion enables them to declare, that the people of the state of Tennessee approve your course in opposing a powerful moneyed institution, whose existence is not recognised in the constitution, that they approve the veto upon the bill rechartering the bank of the United States, and that they also approve of the removal of the public deposits from that institution. They are warranted in believing that said bank hath interfered in the election by the people, of their public servants:—that it hath expended its means in controlling the press, that it hath aimed at the exercise of political power over the government and people of these United States, and that it has refused to disclose its transactions to the representatives of the nation, when legally required so to do, according to the provisions of its charter.

Sir: In testimony of the high respect they bear for your character and distinguished services, they have adopted the following resolution, and with their ardent wishes, that the evening of your life may be as peaceful and happy as its meridian has been useful and brilliant, they tender you assurances of their high consideration and esteem.

*Resolved*, That the convention will adjourn its ordinary business, for the purpose of meeting and receiving in the hall of the convention, the president of the United States, and that the president of the convention be requested to carry this resolution into effect.

And the sense of the meeting being thereon had, the said report was concurred with. Whereupon, on motion, the chair appointed Messrs. Allen, Alexander and John A. McKinney, a committee to wait upon and inform the president of the United States of their proceedings.

WILLIE BLOUNT, *chairman*.

MR. K. HILL, *secretary*.

August 29th, 1834.

SIR: Your fellow citizens of the state of Tennessee, assembled in convention at Nashville, have appointed us a committee, for the purpose of presenting to you the accompanying resolutions and address, which they have adopted.

In performing the duty assigned to us, we beg leave to tender you our warmest wishes, that you may enjoy many happy years in the evening of life devoted to the service of your country.

We have the honor to remain, with the highest respect, sir, your most obedient servants,

ROBERT ALLEN,  
ADAM R. ALEXANDER,  
JOHN A. MCKINNEY.

Andrew Jackson, *president of the United States*.

THE PRESIDENT'S ANSWER.

Hermitage, August 10, 1834.

GENTLEMEN: The feelings awakened by the proceedings you have first communicated to me, leave me without words to convey an adequate sense of the honor they confer. I can only say that I receive them with the sensibility which is natural to one, who, with a just confidence of his claims to the public sympathy and favor, of which he has enjoyed so great a share, has ever cherished the most sacred respect for the opinion of his countrymen, and for the distinction which flows from their approbation and regard. Emanating as they do from a convention, representing the people in their highest sovereign capacity, establishing the fundamental laws of their government—a people with whose destiny mine was at an early period connected, and who, as familiar spectators or companions, have had a close and intimate connection with my private and public conduct through life, I should be more or less than human if I could receive them without the deepest emotion and the most profound sense of gratitude.

I can declare with truth, gentlemen, that I entered upon the duties of the office I now hold, with reluctance and distrust; and I may add, with despair of discharging its arduous duties, but for the co-operation and aid which I anticipated from the other co-ordinate branches of the government, and the indulgence and liberality of my fellow-citizens generally. In this anticipation, particularly as it regarded the people, I have not been disappointed. If I have, therefore, in any moderate degree, in the conflicts which have grown out of the measures of my administration, contributed to advance the prosperity of the country and strengthen the means of its future preservation

and union, my success is mainly attributable to my good fortune in being accessible to the sentiment, and in being able to follow the admonition and instruction which it reflected. Under such circumstances I regard the flattering terms in which you have been pleased to speak of the leading acts of the administration as justly applicable to the discernment, intelligence, and virtue of the people, in whose hands every day furnishes additional proof that the principles of free government are alone safe.

It is against the great truth that the people are the governing power in a free republic, that much of the violence and asperity which have characterised the conduct of those advocating the bank monopoly has been directed—not against me, a mere instrument of the laws, whose place is but temporary and will soon be supplied by some one more able to ensure to them a just and wholesome administration. Whatever of detraction, therefore, may have been for the moment aimed at me by this moneyed power, can have no other effect than to satisfy me that my exertions against the corrupting and baneful influence have been beneficially felt on the side of the great body of my fellow-citizens, in whose hands I shall ever feel safe.

I shall, gentlemen, avail myself of the earliest occasion to visit Nashville for the purpose of paying my personal respects to the members of the convention, and of manifesting more fully than I can now do, the high sense and entertainment of the distinguished honor they have conferred upon me.

Accept for yourselves the assurances of the great respect with which I am very sincerely, your fellow-citizen and friend,

ANDREW JACKSON.

Messrs. Allen, Alexander, and J. A. McKinney, committee on the part of the convention.

MR. EDWARD EVERETT'S SPEECH

AT THE SALEM WHIG FESTIVAL.

[Reported for the Salem Gazette.]

Mr. Edward Everett observed, that he supposed he should not mistake the kind manner, in which the last sentiment\* had been welcomed, if he understood it to be an expression of the wish of the company, that he should address them. He knew what an arduous task it was to do this, after what the company had already heard; but on such an occasion, he felt that he ought not to think of himself; and he would say, in the language of the gallant and truly worthy office holder, (general Miller), who had just been named with such deserved credit, by his friend who had preceded him, [Mr. Choate] "I'll try." He should be almost disposed to quarrel with his friend the lieutenant governor, for the distinction he had rather shily drawn between speech-makers and working men—those who do the talking and those who do the work—had not his honor fallen into his own snare, and for its length, made one of the best speeches the company had heard that day. The lieutenant governor said he was not in the habit of taxing his imagination. How that might be, Mr. E. would not undertake to say; but every one knew with what liberality he paid the taxes of public spirit, benevolence, charity and piety; and this being the case, it was of little consequence, whether he levied or paid any imaginary taxes.

The incidents of this day, the spirit manifested by this company, continued Mr. E. are indications of public sentiment, too clear to be mistaken. That we have reached a critical period, in the state of public affairs, is too apparent to need to be formally stated. Did I not place unbounded reliance on the stability and good sense of the mass of the people—did I not know that the pilgrim stock is not run out, that the blood of our fathers still beats warm and undegenerated, in the bosoms of their children; did I not above all feel and see that the whig spirit—the spirit of '76—is aroused and abroad in the land, I should be almost ready, I confess, to begin to despair of the republic. And when I say, *despair of the republic*, I speak to the substance and spirit of the proposition. I mean that there is reason for alarm, as to the continued operation and sway of the principles of republican government and liberty protected, as well as regulated by law, which were embodied by our fathers in the constitution, I do not mean that, in my opinion, there is any danger, that the forms of the constitution will be subverted. I presume that, let what will betide, we shall nominally have a president elected every four years—secretaries theoretically amenable to congress, although holding their official stations at the breath of the president's mouth; and a senate and house of representatives to go through the forms of legislation, long after the familiar use of the *veto* shall have reduced their action, on all important questions to *mere* form. This is a lesson of history. The forms of the commonwealth in Rome were many of them kept up from the first to the last of the Caesars. The despots, who trampled her proud liberties into the dust, did it under the venerated name and ancient dignity of the republic. The emperor who caused his horse to be raised to the highest honors of the state, dared not discard the letter of the magistracy, as it was administered by the Catoes and the Scipios. He gave his horse an office, but it was a republican office. Rome could not be deprived of her consuls, although the consuls might be occasionally provided with an extra pair of legs. There are impressions made in the in-

\*[See Edward Everett—Whose talents and virtues, whose various accomplishments and multiplied services, have rendered him alike the favorite of his district, the pride of his state, and an ornament of his country.] *Ed. Gazette.*

fancy of states as of men, which never wear out. I take it the time will never come, when the general frame-work and official nomenclature of our constitution will be abandoned. Even Napoleon, after he had in fact, though not in name, made himself the dictator of France, thought it expedient to have it put to vote, whether he should be consul for life; and carried it, by a majority of more than three millions and a half against a handful, of whom our own Lafayette was the only man of note. I happen to have in my pocket something like an ocular illustration of those principles. Some body, (a tory no doubt), has palmed off upon my whig simplicity this very day, for a quarter of a dollar, a French franc piece, not certainly worth more than nineteen cents at best, and a good deal the worse for wear. What do we behold upon it? On one side, the oaken garland, emblem of the civic triumphs of regenerated France, surrounded with auspicious legend *republique Francaise*. And whose image and superscription, think you, on the other? Perhaps the emblematic form of the goddess of liberty, as we see here on our own coins. Perhaps general Bonaparte; the hatchet face of the youthful hero, fresh from the battles of Montenotte, Millesimo and Lodi. Alas, no, sir, a far different visage; but your lean Cassius grown into your plump Augustus! the well known round and autocratic features of a later date, surrounded with the lofty inscription *Napoleon empereur*.

They, therefore, of all the denuded are the most woefully deceived, who slumber on, in confiding apathy, and think the republic is safe, because its organic forms are not in appearance subverted. I tell you, sir, that if Napoleon himself could burst the rock of St. Helena, where he lies walled and clamped down, fathoms deep, in the everlasting granites; and if with him, could burst into life the ghostly millions, that fell upon all his battle fields from the frozen clouds of Russia to the baked mud of the Nile, and land in one resistless host upon our continent and subdue it, he would leave you the forms of the constitution; he would graciously allow you to be the agents of your subjection and shame; and when he had desolated your cities, wasted your fair fields, plundered your substance, torn your sons from your arms, and drenched your hearths in blood, he would tell you he came for your good, that he came to rescue you from aristocrats and monopolists, and to bring you happiness and glory.

Neither, sir, let it be thought that the republic is safe, because the private rights of the people have as yet suffered nothing, from the direct encroachments of illegal power. No one supposes that we are as yet in danger of forced loans; of taxes levied without authority of law. There is no ground of apprehension, that the farmer as he brings home the return of his industry at night, from the market, will be stopped by a sergeant's guard, and made to pay half of it to the government. If a man has a suit in court, on a matter of private right, he is morally certain that justice will be done him. To be sure; and so he is in Austria—in Russia. When therefore the advocates of the administration tell us that the country is not blighted, as with a present curse, that private industry will earn its reward, unshared by the government—that the ordinary march of occupation is not wholly obstructed, and would hence argue that the complaints against the administration are unfounded, I feel my common sense insulted. Why, sir, this is substantially the state of things, in all countries—in all civilized countries. Political communities could not otherwise be kept together. There are certainly points, in which a despotism produces practical encroachments on private rights, but it is, at least under a virtuous despot, to a less extent, than might at first be supposed. I take it a pure, private question of *meum and tuum* is decided as promptly as equitably, at St. Petersburg as at New York. And a pretty boast truly, for the people of the U. States of America, that we are no worse off than they are in Siberia!

Neither, sir, ought it to be any consolation to one who understands and prizes our constitution, in its purity, that few bloody violations, of personal right and liberty have been attempted; that men have not been dragged out of their beds at night, immured in prisons or lugs. A member of congress, to be sure, occasionally has his bones broken on the Pennsylvania avenue, or is shot at on the steps of the capital; but we are in no danger of the Turkish bow-string, of the Russian knout, or the Spanish inquisition. These remnants of barbarism are almost exploded at Madrid, St. Petersburg and Constantinople. Their disease belongs less to constitutions than to manners. They are not much to be dreaded, by the mass of the people, any where. Why, sir, at the height of the reign of terror in France, the theatres were kept open and crowded; and Napoleon, all powerful and fearful as he was, the arbiter of life and death to millions, used to say, he presumed there were men in Paris who had never heard of his name. The fact is, sir, and I know it from personal observation, that people who stay at home, and mind their business, keep out of hot water, say nothing against the sultan or monarch, and take care not to get very rich, are extremely well off in Turkey. The idea that the grand seignior goes about chopping off the heads of harmless people for sport, belongs to the nursery—it is one of mother Gonne's tales. Peter Parley is beyond that. When, therefore, we are told, that people are safe in their houses, and in their streets, under the protection of the laws, and that we ought to be content with this, I am shocked at it, as in itself a proof, that men are beginning to be indifferent to the real nature of constitutional liberty—that they are beginning to compound with those who have so signally betrayed their confidence—to

say, spare us our lives and property, do not shoot or plunder us, and rule us as long as you please—in short, that they are thinking seriously of Esau's bargain, and selling their blood-bought birth right, for a mess of pottage.

No, sir, the spirit and essence of liberty are very different from the constitutional forms in which it is embodied; and even these may be trampled down, by those who forbear any violent attempt on life, limb or property.

Practically, the people of the United States, as far as the general government is concerned, are living under a monarchy. The executive—a functionary created by the constitution to enforce the laws—has erected his own will into a law, repealing or transcending all other law. The spirit of party has so completely mastered that of patriotism, that men in high places—men of name before the country—legislators—representatives of the people—not only support the chief of their party in measures which they know to be highly injurious, but support him in such a way, as to make him think they really approve those measures and admire and reverence him for pursuing them. It is not going too far to say, that the course of the administration, the last year, was supported through thick and thin, by some members in congress, who admitted that it had been conceived in utter ignorance of the effects it was to produce, and was now pursued to the serious detriment to the community. What worse can happen in a monarchy? And is there not reason to despair of the republic, when the rash conceits, the personal feelings, the admitted errors of one man become the law of the land; which, even those who feel and admit their ruinous operation, want courage and virtue to resist any more, which they are obliged to laud as the perfection of wisdom?

Such is the state of things in this country. The terrific force of party discipline, the personal popularity of the president, have wrought a practical revolution. The form of a house of representatives is kept up, but its spirit, for the present, is gone; for its members sustain measures, which they disapprove, for fear of being put under the ban of the party, and incurring the displeasure of its chief.

There is another symptom of degeneracy which might well justify a despair of the republic; I mean the prostration of the self-respect of the house of representatives. There is, in almost all organized bodies, what the French call the *esprit de corps*—a feeling common to the members of the body, as such—whether the army or navy, or a separate command in either—or a civil association—or a geographical section of country—a bank—a college—or even a private club; there is a feeling common to its members as such, which holds them to cherish the reputation of the body, and to feel a sensibility at all indiscriminate warfare upon it. Patriotism is but the same feeling enlarged. In high and dignified bodies, clothed with august functions—in parliaments—in senates, in courts of justice—this feeling assumes unusual gravity and elevation. It rises into principle; it is a source of strenuous effort—it bids men toil, and suffer, and, if need be, bleed, that they may adorn the name of some great and venerable organization, and land it down, more illustrious for their connection with it, to posterity. If there be bodies on earth, which ought to possess this feeling, they are the senate and house of representatives of the United States. If on earth there is a body of men, who ought to feel a sober, reflective, responsible sense of station, is it not the chosen representatives of the people of the United States? Against any sweeping imputations on its purity, this is a body one might have thought, which would be up in arms: Against any wholesale or general denunciation of its members, one might have hoped, that the whole assembly would have risen in indignation. And what have we witnessed? This house of representatives, by a majority of more than two to one, passes a resolution, that the public money is safe in the bank of the United States, (what none but a madman could deny), and for passing that resolution the president declares to his secretary of the treasury, that a majority of the members is bribed by the bank; and that if they had remained in session a few weeks longer two-thirds of them would have taken the bribe; and for this reason, and in order to keep his policy safe beneath the wings of the veto, he orders this secretary, against his own convictions, to remove the public money from the place of legal deposit, before congress convenes: and the secretary refusing, is removed himself. Does the house of representatives, under the influence of the feeling I have described, resent the insult? Does that portion of it, friendly to the administration—the portion of course aimed at—the president's friends, repel this insinuation, that they are the subjects of corruption? Does a solitary friend of the president shew that he feels either wounded or grieved? Look at the journals of the last session, and see the unbroken phalanx steadily voting in support of a policy, which, as far as the time of its adoption is concerned, proceeded on the calculation, that they themselves—the men who support it—are within the reach of the gold of the bank. I believe, that if any king of England, of the house of Brunswick, should utter such language to a lord of the treasury, touching the house of commons, the day on which he uttered it, would be the last of his reign. The house of commons, thus outraged, would rise as one man. He would be dragged from his palace to the tower—from the tower to the scaffold—his line driven out into exile—his blood attainted—his dynasty extinguished forever. Or if milder councils were required, as I trust they would be, by the civilization of the day, parliament would resolve that the royal intellect was impaired—a regency bill would pass in three days, and the un-

happy monarch would be sequestered, as bereft of reason, within the inmost courts and darkest halls of Windsor castle.

Sir, I speak without the least personal bitterness of the president: I feel none. I have been opposed to his administration; but if I have erred, it has been rather on the side of tameness than violence. His military services never wanted the humble tribute of my acknowledgment, both before and since he came into office. I never performed a public duty with greater cordiality, than that of bidding him welcome, on behalf of my fellow citizens, to the heights of Charlestown, on occasion of his visit to that town; and though it was not possible for any man in the country to be less interested in it, no man would have been better pleased, than this second term of office, so auspiciously commenced, should have been finished in peace and honor, and that his retired old age should be tranquil and happy. But he has chosen otherwise, and according to his avowal to the senate, from "a deliberate sense of duty." If he would gain credit for that avowal, he will concede as much to those who differ from him—to you fellow citizens, and to me.

But, sir, with all the inauspicious signs of the times, there is yet ground for cheerfulness, confidence and hope. A portion of the people are deluded; but the mass is sound, and in advance of their representatives. The glorious stand taken by the senate of the United States, and signally so by that portion of it, justly and richly rewarded with this day's honors, has been sanctioned by the people. Every noble sentiment which has been heard within its walls, has met with an approving response from the remotest quarters of the land. New York in her charter elections gallantly led the way; Louisiana has followed the noble example, and in whatever direction we cast our eyes, the omens are full of hope. The broad and spreading cloud, which hung over us; black with terror; wrapping up within its folds all the elements of destruction; the hurricane, the deluge and the thunder-bolt, is passing; the winds of heaven are wasting it away; the glorious sun has struggled through it, and is already painting its edges with purple and gold; and nature will but smile in fresher green for the drops which have fallen. It was indeed a fearful tempest, but the senate of the United States most gloriously rode out the storm. The gallant vessel has been sadly buffeted—wave after wave has dashed against her sides, and all the floods of executive wrath and power, and party rage, have at times seemed to roll in upon her, with a force that must drive her upon the rocks. But the sheet-anchor held fast; the ground tackle proved good; and the voice of the pilot was heard above the winds—clear and strong and cheerful.

And not there alone sir, it has been heard throughout the land. This day—this happy occasion—this distinguished company show, that the services rendered in the senate have been appreciated. Those of us, who were near the scene of action, can bear witness to the unexampled vigor, the well renewed activity, the spirit that seemed to grow with exhaustion—the power that increased as it was exerted—the unshaken intrepidity—the strains of argument, as convincing as ever fell from the lips of man, the overwhelming eloquence, with which the senate chamber has resounded, and to which you this day pay the willing tribute of applause. I rejoice in the belief, that the feelings, which dictate this tribute, are not confined to you, fellow citizens, who, as the personal friends and neighbors of our distinguished senator, cannot but cherish a peculiar pride, in his efforts and his fame; but that the country, at large, has been the observant and admiring witness of his services—has gratefully noticed his glorious defence of her rights—and is preparing for him the highest reward it can bestow on a great and successful champion of her cause, in the hour of its darkest peril. I will not enlarge upon this reflection: I submit it to the sober consideration of this patriotic and intelligent company. I commend it particularly to you, young wings of Salem and its vicinity, of whom I have the gratification to see so many before me this day. I call on you, and those like you, to save the country. You can do it, you alone can do it. The world is the heritage of the young. It is animated, controlled, urged on, by the young. The aged can but afford example and counsel; those, who have reached the meridian of life, most of them begin to grow weary of the toil and strife, the heat and burden of the day. The young, the fresh, the unexhausted, must come to the rescue. Remember Bunker Hill. Remember the martyr of the day, the immortal Warren, the youngest among those of rank, who trod the blood stained soil. Think of Lafayette, who, hardly nineteen years of age, came to us like a young angel of hope, across the Atlantic, with courage and strength on his wings. Arise young men, arise and save the country. You can save it; none other than you, and those like you, throughout the land, can save it. The spirit is awakened; the people are aroused; the hosts of liberty are rushing to the fields against the hosts of place and power; and they now call on you to take the post of honor and of danger, on the front of the line, and to say who shall lead you to the battle and to triumph.

I give you, fellow citizens,  
Our distinguished guest—the highest honors of the constitution to its ablest defender.

#### MR. TANEY'S RECEPTION AT FREDERICK, MD.

On the 6th August, Mr. Taney, late secretary of the treasury, was received at Frederick by a large party of his political friends, with whom he afterwards publicly dined. On arriving at the hotel, he was addressed by Mr. Thomas (the member of congress from the district) as follows:

Mr. Taney: I appear in behalf of the Jackson republicans of Frederick county and at their request, to give you a cordial welcome, and to convey to you the warm gratitude which they feel for the able, honest and patriotic part, you have performed in the cabinet of their much loved chief magistrate. With this approbation of your public conduct and high respect for the purity of your private life, I am authorized to express their deep indignation at the ungenerous and vindictive course towards you, of the senate of the United States. Your old neighbors of Frederick have given indignant attention to the indiscriminate warfare to which, for more than seven months past, your public conduct has been subjected. A very large proportion of a long session of the senate has been consumed in fruitless attempts to destroy utterly your reputation. With that view your official acts have undergone a most rigid supervision and have been exposed to commentaries and constructions of the most illiberal and unmanly character. Not content with the most rancorous and unsparing scrutiny, in your official acts and proceedings, the dignity of the senate of the United States has been sullied by the coarse, rude, unmerited personal defamation, of which you have been the object.

In aid of these ruthless attempts at your ruin on the floor of the senate, a press influenced by the most sordid of all inducements has spread far and wide gross misrepresentations of your whole life and conduct. Elsewhere your assailants may have been partially successful. Strangers to your past life may believe that the senate have rightly appreciated your motives. But such, be assured, is not the opinion of this community. Having been, for more than twenty years, a resident amongst them, your rules of conduct are well known to this people. They know that your acceptance of the office of secretary of the treasury, was not determined by sordid or selfish considerations. That station when offered, they feel, could not, without dishonor, have been declined. Having, as attorney general, advised a measure to frustrate a daring attempt to impair the rights of the people, you repaired, when required, to enforce that measure promptly, to the post of responsibility, and of danger. By so doing, you have merited the gratitude of an enlightened people. While the signal ability with which you have managed the financial department of the government, entitles you to the warm good will of all who sincerely desire to prostrate a powerful corporation, now boldly seeking to participate in the choice of our chief magistrate. You sir, have stepped forward to stay its course. To avenge the blow you have skillfully inflicted on that institution, its abettors have attempted your destruction. Vain and fruitless are their efforts. You have been warmly welcomed elsewhere; you are warmly welcomed here, by an incorruptible people, grateful for your patriotic services.

Again, sir, I tender you the friendly congratulations of the Jackson republicans of Frederick county, with an assurance, that it has afforded me much pleasure to have been made the organ of this communication.

To which Mr. Taney replied—

Sir: I am grateful for the honors, with which my fellow citizens of Frederick city and county, have this day received me. I lived so many years, in the midst of them; and that residence is endeared to me by so many cherished recollections; that, I never find myself approaching Frederick, without feeling as if I were again bending my footsteps to my own home, again to dwell in the midst of a people, whose long continued kindness to me, I can never forget, and shall warmly and gratefully bear in my memory to the latest hour of my life.

I see, around me, many citizens, who were well known to me during almost the whole period of my residence in Frederick. And the deep emotions, with which the events of this day are so well calculated to inspire me, are greatly increased when I behold so many, well remembered faces, greeting my arrival, with looks of friendship and approbation.

Under any circumstances, such proofs of the confidence of my fellow citizens would be gratefully acknowledged. But the recent incidents of my life give them peculiar value. When I entered on the high and delicate office which I recently filled, the great body of the people of the United States, were strangers even to my name, I had never been a member of either house of congress. The office of attorney general of the United States, from the nature of its duties was not calculated to make my name familiar to the ear of the people in the brief space for which I held it. And when I was unexpectedly called to the office of secretary of the treasury in a season of severe trial, when the best and highest interests of this great nation of freemen were vitally connected with the measures of that department, I could not but feel that my humble name would give no weight to the measures I had determined to adopt, that, out of Maryland, I was unknown to the great body of the American people—and could not therefore, if attacks should be made upon me, appeal for my vindication to their previous knowledge of me, and a long life passed in the honest endeavor to discharge to the best of my power, my duties as a man and a citizen. Yet a crisis had come, which did not allow me to hesitate as to the path of duty.

It was obvious to my mind from the facts before me, that a great moneyed corporation, possessing a fearful power for good or for evil, had entered into the field of political warfare, and was deliberately preparing its plans to obtain, by means of its money, an irresistible political influence, in the affairs of the nation, so as to enable it to control the measures of the government. It was evident, if this ambitious corporation should suc-

ceed in its designs, that the liberties of the country would soon be destroyed, that the power of self-government would be wrested from the people, and they would find themselves at no distant day under the dominion of the worst of all possible governments, a moneyed aristocracy. In this posture of affairs full of peril, and of the deep interest to this great nation, I saw the grey haired patriot now at the head of the government, who has so often breasted every danger in defence of the liberties of his country, once more prepared to plant himself in the breach, to defend his countrymen at every hazard to himself, from the impending danger. I firmly believed, and still believe that the safety of the country depended on his prompt and decisive action. I had long as one of his cabinet, advised the private proceeding which he finally made up his mind to adopt. Under such circumstances, it was impossible, that I could without dishonor have hesitated, about accepting the office he proffered me, or have shrunk from the responsibility of executing a measure which I had myself advised at a time when it was believed that the duty would be performed by another person. It was impossible in a crisis when the dearest interests of the country were at stake, that I would without just disgrace, have refused to render my best services in its defence. I should have been unworthy of the friendship of the high spirited and patriotic citizens who are now around me, if I could have thought of myself, and my own poor interests, at such a moment.

The measures which I have adopted as secretary of the treasury are now before the public, and I am ready to abide the judgment, which the American people shall pass upon them. They have indeed brought upon me, it seems, a deep and enduring spirit of hostility. I have been singled out from among the number who advised, and who approved of the measures, I pursued, as a fit object to receive a peculiar mark of indignity. The most inspiring efforts have been made to impeach the integrity of my motives, and to destroy me in the estimation of the citizens of the United States; and although, I am no longer in office, the same spirit is still abroad, and still pursues its object with unwearied perseverance. I do not mention these things to complain of them. I should have been blind to the examples of history, if I had not expected them. No man who has, at any period of the world stood forth to maintain the liberties of the people, against a moneyed aristocracy, grasping at power, has ever met with different fate. Its unrelenting, unquenchable hate has never failed to pursue him to the last hour of his life, and when in his grave. Money can always buy instruments—and I was not weak enough to suppose that I should escape what all others in a like situation have been doomed to encounter.

Having as I have already said, had no connection until recently with the general government, I was altogether unknown to the great body of the citizens of other states, and cannot therefore in reply to the assaults made upon me appeal to their previous knowledge of my principles and conduct. But in Maryland it is otherwise. Born in the state, my life has been passed in the midst of its citizens, until age is now coming upon me. To them I can confidently appeal, for they have known me from my childhood. To the citizens who now surround me, I can still more confidently, for among them I passed twenty-two years of the prime of my life; taking an active part during all that time in their public concerns. It is from the people of Maryland that the citizens of other states must in a great measure learn my character and my principles—and of none more justly can the inquiry be made than of the citizens of this county, who have so long, and so intimately known me. And gratifying as their approbation and support would at all times have proved, I acknowledge, that, at a moment like this I feel it with more than ordinary sensibility. The honors with which they have been pleased to receive me—the numerous body of freemen who are now gathered about me—the public expression of their undiminished confidence and esteem which at their request, you have just made to me, is a proud and cheering testimony, to which I can point to repel the calumnies, which are continually heaped upon me.

The time will come, sir, I doubt not, when every man who loves the free institutions of the country will be ready to admit the misconduct of the bank of the United States, and the danger to be apprehended from any similar corporation. Many honest and estimable men are now opposed to us, who are led away by mistaken notions of party obligations—or are too much under the influence of party prejudices to examine the subject fairly, and form an impartial judgment for themselves. The time will soon come when such men will look back with deep regret at the course they have pursued, and are still pursuing, and will do justice to those who have shewn themselves ready to make personal sacrifices to maintain unimpaired, for this great people, the blessings of freedom.

It is an additional gratification, to find you, sir, selected as the organ to communicate to me the sentiments of this large assemblage of my fellow citizens. As the representative of this district, I received from you, during my brief and eventful administration of the treasury department, the most firm and steady support. It was to the committee of the house of representatives, of which you were the head, that the people of this country are indebted for the proof that the affairs of the bank have been so managed, that it is compelled, in the face of the plain provisions of its charter, to hide its proceedings from the public eye. The official report of your committee shews, that the bank, aware of the conclusions which must inevitably be drawn from their refusal to submit itself to a fair and full

examination, made every effort to escape, without coming to a direct denial. But the talents, firmness and perseverance of the committee, baffled the design, and compelled them to decide directly, and unequivocally, whether they would lay open their proceedings to strict, and impartial scrutiny; or would in direct violation of their charter, and in contempt of the house of representatives of the United States, refuse it. Driven from every attempt at evasion, they finally refused, and thus gave to the people, the most convincing and conclusive evidence of the truth of the charges against them, and that they dared not meet the searching investigation of such a committee.

The distinguished share which you took in the conflict, and the efficient services you performed, will always be remembered and honored by a people whom you have so signally served.

#### TREATY WITH THE CHICKASAWS.

ANDREW JACKSON, PRESIDENT OF THE U. STATES OF AMERICA, To all singular to whom these presents shall come, greeting: Whereas, a treaty was made at the city of Washington, on the twenty fourth day of May, one thousand eight hundred and thirty four, between the United States, by their commissioner, John H. Eaton, and the Chickasaw Indians; which treaty is in the words following, to wit:

*Articles of convention and agreement proposed by the commissioners on the part of the United States, in pursuance of the request made, by the delegation representing the Chickasaw nation of Indians, and which have been agreed to.*

ART. I. It is agreed that perpetual amity, peace and friendship, shall exist between the United States, and the Chickasaw nation of Indians.

ART. II. The Chickasaws are about to abandon their homes, which they have long cherished and loved; and though hitherto unsuccessful, they still hope to find a country, adequate to the wants and support of their people, somewhere west of the Mississippi, and within the territorial limits of the United States; should they do so, the government of the United States; hereby consent to protect and defend them against the inroads of any other tribe of Indians, and from the whites; and agree to keep them without the limits of any state or territory. The Chickasaws pledge themselves never to make war upon any Indian people or upon the whites, unless they are so authorised by the United States. But if war be made upon them, they will be permitted to defend themselves, until assistance be given to them by the United States, as shall be the case.

ART. III. The Chickasaws are not acquainted with the laws of the whites, which are extended over them; and the many intruders which break into their country, interrupting their rights and disturbing their repose, leave no alternative whereby restraint can be afforded, other than an appeal to the military force of the country, which they are unwilling to ask for, or see resorted to; and therefore they agree to forbear such a request, for prevention of this great evil, with the understanding, which is admitted, that the agent of the United States, upon the application of the chiefs of the nation, will resort to every legal civil remedy, (at the expense of the United States), to prevent intrusions upon the ceded country; and to restrain and remove trespassers from any selected reservations, upon application of the owner of the same. And it is also agreed, that the United States will continue some discreet person as agent, such as they now have, to whom they can look for redress of wrongs and injuries which may be attempted against them; and it is consented, that if any of their property, be taken by persons of the U. States, covertly or forcibly, the agent on satisfactory and just complaint being made, shall pursue all lawful civil means, which the laws of the state permit, in which the wrong is done, to regain the same, or to obtain a just remuneration; and on failure or inability to procure redress, for the offended, against the offending party; payment for the loss sustained, on production of the record, and certificate of the facts, by the agent, shall be made by the United States; but in all such cases, satisfactory proof, for the establishing of the claim, shall be offered.

ART. IV. The Chickasaws desire to have within their own direction and control, the means of taking care of themselves. Many of their people are quite competent to manage their affairs, though some are not capable and might be imposed upon by designing persons; it is therefore agreed that the reservations hereinafter admitted, shall not be permitted to be sold, leased or disposed of, unless it appear by the certificate of two at least of the following persons, to wit. Ish ta-ho-ta-pa the king, Levi Colbert, George Colbert, Martin Colbert, Isaac Albersson, Henry Love and Benjamin Love, of which five have affixed their names to this treaty, that the party owning or claiming the same, is capable to manage, and to take care of his or her affairs; which fact to the best of his knowledge and information, shall be certified by the agent; and furthermore that a fair consideration has been paid; and thereupon, the deed of conveyance shall be valid, provided the president of the United States, or such other person as he may designate shall approve of the same, and endorse it on the deed; which said deed and approval, shall be registered, at the place, and within the time, required by the laws of the state, in which the land may be situated; otherwise to be void. And where such certificate is not obtained; upon the recommendation of a majority of the delegation and the approval of the agent, at the direction of the president of the United States, the same may be sold; but the consideration there-of shall remain as part of the general Chickasaw fund in the hands of the government, until such time as the

chiefs in council shall think it advisable to pay it to the claimant or to those, who may rightfully claim under said claimant, and shall so recommend it. And as the King, Levi Colbert and the delegation who have signed this agreement, and to whom certain important and interesting duties pertaining to the nation, may die, resign or remove, so that their people may be without the benefit of their services, it is stipulated, that as often as any vacancy happens, by death, resignation or otherwise, the chiefs shall select some discreet person of their nation to fill the occurring vacancy, who upon a certificate of qualification, discretion and capability by the agent, shall be appointed by the secretary of war, whereupon, he shall possess all the authority granted to those who are here named, and the nation will make to the person so appointed, such reasonable compensation as they with the assent of the agent and the secretary of war, may think right, proper and reasonable to be allowed.

ART. V. It is agreed that the fourth article of the "treaty of Ponticock," be so changed, that the following reservations be granted in fee—to heads of families, being Indians, or having Indian families, consisting of ten persons, and upwards, four sections of land are reserved. To those who have five and less than ten persons, three sections. Those who have less than five, two sections. Also those who own more than ten slaves, shall be entitled to one additional section; and those owning ten and less than ten to half a section. These reservations shall be confined, to the sections or fractional sections on which the party claiming lives, or to such as are contiguous or adjoining to the sections resided upon, subject to the following restrictions and conditions—

Firstly. In cases where there are interferences arising, the oldest occupant or settler, shall have the preference, or,

Secondly. Where the land is adjudged unfit for cultivation, by the agent, and three of the seven persons, named in the fourth article above, the party entitled, shall be, and is, hereby authorized to locate his claim upon other lands, which may be unappropriated, and not subject to any other claim; and where two or more persons, insist upon the entry of the same unappropriated section or fractional section, the priority of right shall be determined by lot; and where a fractional section is taken, leaving a balance greater or less than the surveyed subdivision of a section, then the deficiency shall be made up, by connecting all the deficiencies so arising; and the register and receiver thereupon, shall locate full or fractional sections, fit for cultivation, in the names respectively of the different persons claiming, which shall be held by them as tenants in common, according to the respective interests of those who are concerned; and the proceeds when sold by the parties claiming, shall be divided according to the interests, which each may have in said section or fractional section so located, or the same may be divided agreeably to quality or quantity.

ART. VI. Also reservations of a section to each, shall be granted to persons male and female, not being heads of families, who are of the age of twenty-one years, and upwards, a list of whom, within a reasonable time shall be made out by the seven persons hereinbefore mentioned, and filed with the agent, upon whose certificate of its believed accuracy, the register and receiver, shall cause said reservations to be located upon lands fit for cultivation, but not to interfere with the settlement rights of others. The persons thus entitled, are to be excluded from the estimated numbers contained in any family enumeration, as is provided for in the fifth article preceding; and as to the sale, lease or disposition of their reserves, they are to be the subject of the conditions and restrictions set forth in the fourth article. In these and in all other reserves where the party owning or entitled, shall die, the interest in the same shall belong to his wife, or the wife and children, or to the husband, or to the husband and children, if there be any; and in cases of death, where there is neither husband, wife nor children left, the same shall be disposed of for the general benefit; and the proceeds go into the general Chickasaw fund. But where the estate as is prescribed in this article, comes to the children, and having so come, either of them die, the survivor or survivors of them, shall be entitled to the same. But this rule shall not endure longer than five years, nor beyond the period when the Chickasaws may leave their present for a new home.

ART. VII. Where any white man, before the date hereof has married an Indian woman, the reservation he may be entitled to under this treaty, she being alive, shall be in her name, and no right of alienation of the same shall pertain to the husband unless he divest her of the title, after the mode and manner that feme covert, usually divests themselves of title to real estate, that is by the acknowledgments of the wife which may be taken before the agent, and certified by him that she consents to the sale freely, and without compulsion from her husband, who shall at the same time certify that the head of such family is prudent, and competent to take care of and manage his affairs; otherwise the proceeds of said sale shall be subject to the provisions and restrictions contained in the fourth article of this agreement. Rights to reservations as are herein, and in other articles of this agreement secured, will pertain to those who have heretofore intermarried with the Chickasaws, and are residents of the nation.

ART. VIII. Males and females below the age of twenty-one years, whose father being dead, the mother again has married, or who have neither father nor mother, shall each be entitled to half a section of land, but shall not be computed as parts of families, under the fifth article, the same to be located under the direction of the agent, and under the supervision of the

secretary of war, so as not to interfere with any settlement right. These lands may be sold upon a recommendation of a majority of the seven persons, heretofore named in this agreement, setting forth that it will prove advantageous to the parties interested; subject however to the approval of the president, or such other person as he shall designate. If sold, the funds arising shall be retained, in the possession of the government, or if the president deem it advisable they shall be invested in stocks for the benefit of the parties interested, if there be a sufficient sum to be invested, (and it can be invested), until said persons marry or come of age, when the amount shall be paid over to those who are entitled to receive it, provided a majority of the seven persons, with the agent, shall certify, that in their opinion, it will be to their interests advantage then, and in that case, the proceeds shall be paid over to the party or parties entitled to receive them.

ART. IX. But in running the sectional lines in some cases it will happen, that the spring and the dwelling house; or the spring and the cleared land; or the cleared land or the dwelling house of settlers, may be separated by sectional lines, whereby manifest inconvenience and injury will be occasioned; it is agreed, that when any of these occurrences arise, the party shall be entitled as parts and portions of his reservations, to the adjoining section or fraction, as the case may be, unless there be some older occupant, claiming a preference; and in that event, the right of the party, shall extend no farther, than to give to the person, thus affected and injured, so much of his separated property, as will secure the spring, also, where a sectional line, shall separate any improvement, dwelling house, kitchen or stable, so much of the section, which contains them, shall be added into the occupied section, as will secure them to their original owner; and then and in that case, the older occupant being deprived of preference, shall have his deficiency thus occasioned, made up to him by some fractional section, or after the mode pointed out in the latter part of the fifth article of this treaty.

ART. X. Reservations are admitted to the following persons, in addition to those which may be claimed under the fifth article of this treaty, to wit:—Four sections to their beloved and faithful old chief Levi Colbert; to George Colbert, Martin Colbert, Isaac Aberson, Henry Love and Benjamin Love, in consideration of the trouble they have had in coming to Washington, and of the farther trouble hereafter to be encountered in taking care of the interests of their people, under the provisions of this treaty, one section of land to each. Also there is a fractional section, between the residence of George Colbert, and the Tennessee river, upon which he has a ferry, it is therefore consented, that said George Colbert, shall own and have so much of said fraction, as may be contained in the following lines, to wit:—beginning near Smith's ferry at the point where the base meridian line and the Tennessee river come in contact, thence south so far as to pass the dwelling house, (and sixty yards beyond it), within which is interred the body of his wife—thence east to the river and down the same to the point of beginning. Also there shall be reserved to him an island, in said river, nearly opposite to this fraction, commonly called Colbert's island. A reservation also of two sections is admitted to Ish-ta-ho ta-pa the king of the Chickasaw nation. And to Min-ta-ho-ya the mother of Charles Colbert one section of land. Also one section, each, to the following persons:—In-muh-bee, Ish-tim-o-lut-ka, Ah-to-ho-woh, Pis-tah-lah-tubbee, capt. Samuel Soley and William McGilvery. To colonel Benjamin Reynolds their long tried and faithful agent, who has guarded their interests and twice travelled with their people far west beyond the Mississippi, to aid them in seeking and finding a home, there is granted two sections of land. Jointly to William Cooper and James Davis, lawyers of Mississippi who have been faithful to the Indians, in giving them professional advice, and legal assistance, and who are to continue to do so, within the states of Tennessee, Alabama and Mississippi, while the Chickasaw people remain in said states, one section is granted. To Mrs. Margret Allen wife of the sub-agent in her own right, half a section. These reservations to Benjamin Reynolds, William Cooper, James Davis and Margret Allen, are to be located so as not to interfere with the Indian reservations.

ART. XI. After the reservations are taken and located, which shall be the case as speedily as may be after the surveys are completed, of which the register and receiver shall give notice, the residue of the Chickasaw country shall be sold as public lands of the United States are sold, with this difference: the lands as surveyed shall be offered at public sale at a price not less than one dollar and a quarter per acre; and thereafter for one year those which are unsold and which shall have been previously offered at public sale shall be liable to private entry and sale at that price; thereafter and for one year longer they shall be subject to entry and private sale, at one dollar per acre; thereafter and during the third year they shall be subject to sale and entry at fifty cents per acre; thereafter and during the fourth year, at twenty-five cents per acre; and afterwards at twelve and a half cents per acre. But as it may happen in the fourth and after years, that the expenses may prove greater than the receipts, it is agreed, that at any time after the third year, the Chickasaws may declare the residue of their lands abandoned to the United States, and if so they shall be henceforth acquitted of all and every the expense on account of the sale of the same.

And that they may be advised of these matters it is stipulated, that the government of the United States, within six months

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after any public sales take place, shall advise them of the receipts and expenditures, and of balance in their favor; and also at regular intervals of six months, after the first report is made, will afford them information of the proceeds of all entries and sales. The funds thence resulting, after the necessary expenses of surveying and selling, and other advances which may be made, are repaid to the United States, shall from time to time be invested in some secure stocks redeemable within a period of not more than twenty years; and the United States will cause the interest arising therefrom, annually to be paid to the Chickasaws.

ART. XII. When any portion of the country is fully surveyed, the president may order the same to be sold, but will allow six months from the date of the first notice to the first sale; and three months notice of any subsequent intended public sale, within which periods of time, those who can claim reservations, in the offered ranges of country, shall file their applications and entries with the register and receiver; that the name of the owner or claimant of the same may be entered and marked on the general plat at the office, whereby mistakes in the sales may be avoided, and injuries prevented.

ART. XIII. If the Chickasaws shall be so fortunate as to procure a home, within the limits of the United States, it is agreed, that with the consent of the president and senate so much of their invested stocks, as may be necessary to the purchase of a country for them to settle in, shall be permitted to them to be sold, or the United States will advance the necessary amount, upon a guarantee and pledge of an equal amount of their stocks; also, as much of them may be sold, with the consent of the president and senate, as shall be adjudged necessary for establishing schools, mills, blacksmith shops, and for the education of their children; and for any other useful purpose, which their situation and condition may make, and by the president and senate be considered necessary; and on the happening of such a contingency, and information thereof being given of an intention of the whole or any portion of the nation to remove; the United States will furnish competent persons, safely to conduct them to their future destination, and also supplies necessary to the same, and for one year after their arrival at the west, provided the Indians shall desire supplies, to be furnished for so long a period, the supplies so afforded, to be chargeable to the general Chickasaw account, provided the funds of said nation shall be found adequate to the expenses, which under this and other articles of this agreement, may be required.

ART. XIV. It is understood and agreed, that articles twelve and thirteen of the "treaty of Pontitock," of the twentieth day of October, one thousand eight hundred and thirty-two, and which was concluded with gen. John Coffee shall be retained; all the other articles of said treaty, inconsistent in any respect with the provisions of this, are declared to be revoked. Also, so much of the supplemental treaty as relates to Colbert Moore; to the bond of James Colbert, transferred to Robert Gordon; to the central position of the land office; to the establishment of mail routes through the Chickasaw country; and as it respects the privilege given to John Douely; be, and the same are declared to be in full force.

ART. XV. By the sixth article of a treaty made with the Chickasaw nation, by Andrew Jackson and Isaac Shelby, on the nineteenth day of October, one thousand eight hundred and eighteen, it was provided that a commissioner, should be appointed to mark the southern boundary of said cession; now it is agreed that the line which was run and marked by the commissioner on the part of the United States, in pursuance of said treaty, shall be considered the true line to the extent that the rights and interests of the Chickasaws are concerned, and no farther.

ART. XVI. The United States agree that the appropriation made by congress, in the year one thousand eight hundred and thirty-three, for carrying into effect the "treaty with the Chickasaws" shall be applicable to this; to be reimbursed by them; and their agent may receive and be charged with the same, from time to time, as in the opinion of the secretary of war, any portion may be wanted for national purposes, by the Chickasaws; of which nature and character, shall be considered their present visit to Washington city.

Done at the city of Washington, on the 24th day of May, one thousand eight hundred and thirty-four.

J. H. EATON, commissioner on the part of the U. S.

Witnesses—Charles F. Little, secretary to commissioner; Benjamin Reynolds, Indian agent; G. W. Long; James Stauffer; Thomas S. Smith; Samuel Swartwout; William Gordon; F. W. Armstrong, C. agent; John M. Millard.

GEORGE COLBERT, his X mark.  
ISAAC ALBERSON, his X mark.  
MARTIN COLBERT, (seal.)  
HENRY LOVE, (seal.)  
BENJAMIN LOVE, (seal.)

The undersigned appointed by the Chickasaw nation of Indians in the two fold capacity of a delegate and interpreter, hereby declares that in all that is set forth in the above articles of convention and agreement, have been by him fully and accurately interpreted and explained, and that the same has been approved by the entire delegation.

May 24th, 1834.

BENJAMIN LOVE, delegate and interpreter,  
CHARLES F. LITTLE, secretary to commissioner.  
BENJAMIN REYNOLDS, Indian agent.

Articles supplementary to those concluded and signed, by the United States commissioner, and the Chickasaw delegation on the 24th day of May, one thousand eight hundred and thirty-four; which being agreed to by the president and senate of the United States, are to stand as part of said treaty.

ART. I. It is represented that the old chiefs Levi Colbert and Isaac Alberson, who have rendered many and valuable services to their nation, desire on account of their health, to visit some watering place, during the present year, for recovery and restoration; it is agreed that there be paid to the agent for these purposes, and to discharge some debts which are due and owing from the nation, the sum of three thousand dollars, out of the appropriation of one thousand eight hundred and thirty-three, for carrying into effect the "treaty of Pontitock," which said sum, so far as used, is to be hereafter reimbursed to the nation by said Levi Colbert and Isaac Alberson, and by the nation to the United States, as other advances are to be reimbursed, from the sale of their lands.

ART. II. The Chickasaw people express a desire that the government shall, at the expense of the United States, educate some of their children, and they urge the justice of their application, on the ground, that they have ever been faithful and friendly to the people of this country—that they have never raised the tomahawk, to shed the blood of an American, and have given up heretofore to their white brothers, extensive and valuable portions of their country, at a price wholly inconsiderable and inadequate; and from which the United States have derived great wealth and important advantages; therefore, with the advice and consent of the senate of the United States, it is consented that three thousand dollars, for fifteen years, be appropriated and applied under the direction of the secretary of war, for the education and instruction, within the United States, of such children male and female or either, as the seven persons named in the treaty, to which this is a supplement, and their successors, with the approval of the agent, from time to time may select and recommend.

ART. III. The Chickasaw nation desire to close finally, all the business they have on the east side of the Mississippi, that their great father may be no more troubled with their complaints, and to this end, they ask the government to receive from them a tract of land, of four miles square, heretofore reserved under the fourth article of their "treaty of 1818" and to pay them, within three months from the date of this arrangement, the government price of one dollar and a quarter per acre for said reserve; and accordingly the same is agreed to, provided a satisfactory relinquishment of title from the parties interested, be filed with the secretary of war previous to said payment being made.

ART. IV. Benj. Reynolds, agent at the time of paying their last annuity, had stolen from him by a negro slave of the Chickasaws, a box containing one thousand dollars; the chiefs of the Chickasaw people satisfied of the fact, and hence unwilling to receive the last amount from their agent, ask, and it is agreed, that the sum so stolen and lost, shall be passed to the credit of their nation by the United States, to be drawn on hereafter for their national purposes.

ART. V. The Chickasaw people are aware that one clerk is insufficient to the bringing of their lands early into market; and rather than encounter the delay which must ensue, they prefer the increased expense of an additional one. It is therefore stipulated that the president shall appoint another clerk, at the same annual compensation agreed upon by the "treaty of Pontitock," who shall be paid after the manner prescribed therein. But whenever the president shall be of opinion that the services of any officer employed under this treaty, for the sale of lands can be dispensed with, he will in justice to the Chickasaws, and to save them from unnecessary expenses, discontinue the whole, or such as can be dispensed with.

Signed the 24th of May, 1834.

JNO. H. EATON, commissioner on the part of the U. S.

Witnesses—Charles F. Little, secretary to commissioner; Benjamin Reynolds, Indian agent; G. W. Long; James Stauffer; Thomas S. Smith; Samuel Swartwout; William Gordon; F. W. Armstrong, C. agent; John M. Millard.

GEORGE COLBERT, his X mark.  
ISAAC ALBERSON, his X mark.  
MARTIN COLBERT, (seal.)  
HENRY LOVE, (seal.)  
BENJAMIN LOVE, (seal.)

NOW THEREFORE, BE IT KNOWN, THAT I, ANDREW JACKSON, president of the United States of America, having seen and considered the said treaty, do, by and with the advice and consent of the senate, as expressed in their resolution of the 30th day of June one thousand eight hundred and thirty-four, accept, ratify, and confirm the same, and every clause and article thereof, with the exception of the third article in the supplementary articles of said treaty, as defined in said resolution.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done, at the city of Washington, this first day of July, A. D. 1834, and of the independence of the United States the fifty-eighth. ANDREW JACKSON,

By the president:

JOHN FORSYTH, secretary of state.











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